

Distr.: General  
11 June 2024  
Arabic  
Original: English

الجمعية العامة



## لجنة القانون الدولي

الدورة الخامسة والسبعون

جنيف، 29 نيسان/أبريل - 31 أيار/مايو  
و 1 تموز/يوليه - 2 آب/أغسطس 2024

## ارتفاع مستوى سطح البحر من منظور القانون الدولي

ورقة إضافية للورقة الثانية من ورقات المسائل المطروحة أعدتها باتريشيا جالفوا تيليس  
وخوان خوسيه رودا سانتولاريا، الرئيسان المشاركان للفريق الدراسي المعني بارتفاع  
مستوى سطح البحر من منظور القانون الدولي

إضافة

ثبت بعدد من المراجع المختارة التي تتناول موضوعي: (أ) مسائل الدولة و (ب) المسائل المتصلة  
بحماية الأشخاص المتضررين من ارتفاع مستوى سطح البحر\*

موضوع ارتفاع مستوى سطح البحر من منظور القانون الدولي هو من بين المواضيع المستجدة  
التي ما زالت تُسئل الكثير من المداد. وليس القصد من ثبت المراجع الوارد في مرفق\*\* هذه الوثيقة استيفاء  
كل ما هو مؤلف في هذا الشأن. ويتسم بعض المراجع بكونه ذا صلة بفرعي الوثيقة.

\* ثبت المراجع هذا هو إضافة توسع المادة المرجعية المرفقة بالمخطط الدراسي لموضوع "ارتفاع مستوى سطح البحر من منظور القانون الدولي" (انظر تقرير لجنة القانون الدولي عن أعمال دورتها السبعين (2018)، الوثائق الرسمية للجمعية العامة، الدورة الثالثة والسبعون، الملحق رقم 10 (A/73/10)، المرفق بـ، الصفحات 425-428)، وثبت المراجع المختارة المتعلقة بمسائل الدولة والمسائل المتصلة بحماية الأشخاص المتضررين من ارتفاع مستوى سطح البحر الصادر في إضافة إلى الورقة الثانية من ورقات المسائل المعدة عن الموضوع (A/CN.4/752/Add.1). وهو لا يتضمن كافة المواد الواردة في الورقة الإضافية لورقة المسائل الثانية التي أعدها الرئيسان المشاركان للفريق الدراسي (A/CN.4/774).

\*\* يُعمّم باللغة التي قُدم بها فقط.



## المرفق

## (أ) مسائل الدولة

## كتب ومقالات

Adam, Roberto. Micro-States and the United Nations. *Italian Yearbook of International Law*, vol. 2, no. 1 (1976): pp. 80–101.

Alexander, Heather, and Jonathan Simon. No Port, No Passport: Why Submerged States Can Have No Nationals. *Washington International Law Journal*, vol. 26, no. 2 (2017): pp. 307–323.

———. Sinking into Statelessness. *Tilburg Law Review*, vol. 19, no.1–2 (2014): pp. 20–25.

Allen, Emma. Climate Change and Disappearing States: Pursuing Remedial Territory. Brill Open Law, (25 November 2018): pp. 1–23.

Allen, Emma, and Mario Prost. Ceci n'est pas un État: The Order of Malta and the Holy See as Precedents for Deterritorialized Statehood? *Review of European, Comparative & International Environmental Law*, vol. 31, no. 2 (2022): pp. 171–181.

Anggadi, Frances. What States Say and Do about Legal Stability and Maritime Zones, and Why It Matters. *International & Comparative Law Quarterly*, vol. 71, no. 4 (2022): pp. 767–798.

Ariza Ugalde, Eduard. Cambio Climático y Nacionalidad: Propuestas ante la perspectiva de la apatridia sobrevenida en las naciones insulares. *Papeles El tiempo de los derechos*, no. 4 (2023).

Bartmann, Barry. From the wings to the footlights: the international relations of Europe's smallest states. *Commonwealth & Comparative Politics*, vol. 50, no. 4 (2012): pp. 535–554.

Benvenisti, Eyal, and Moshe Hirsch, eds. *The Impact of International Law on International Cooperation: Theoretical Perspectives*. Cambridge and New York: Cambridge University Press, 2004.

Bergmann, Nina. *Versinkende Inselstaaten : Auswirkungen des Klimawandels auf die Staatlichkeit kleiner Inselstaaten /*. Schriften zum Völkerrecht. Berlin : Duncker & Humblot, 2016.

Blanchard, Catherine. Evolution or Revolution? Evaluating the Territorial State-Based Regime of International Law in the Context of the Physical Disappearance of Territory Due to Climate Change and Sea-Level Rise. *Canadian Yearbook of International Law / Annuaire canadien de droit international*, vol. 53 (2016): pp. 66–118.

Blanchette-Séguin, Virginie. Élévation du niveau de la mer et frontières maritimes: les États possèdent-ils des droits acquis sur leur territoire submergé? *Revue québécoise de droit international (RQSI)*, vol. 26, no. 2 (2013): pp. 1–21.

Blociszewski, Joseph. La restauration de la Pologne et la diplomatie européenne. RGDIP (1921): pp. 5–83.

———. La restauration de la Pologne et la diplomatie européenne. RGDIP (1924): pp. 89–144.

———. La restauration de la Pologne et la diplomatie européenne. RGDIP (1926): pp. 387–472.

Boré Eveno, Valérie. Les Impacts de l'élévation du Niveau de la Mer sur les Limites Maritimes : du Flou Juridique aux Éclairages de la Pratique. *Annuaire Du Droit de La Mer*, vol. XXIV, 2019 (December 2020): pp. 59–77.

———. Les répercussions de l'élévation du niveau des mers sur les relations internationales. Défis juridiques et impacts géopolitiques. *Annuaire français de relations internationales*, vol. XXIII (2022): pp. 721–737.

Bourgeois-Gironde, Sacha, and Émilie Flamme. Les futurs réfugiés des îles Kiribati englouties pourront-ils conserver des droits sur leurs zones territoriales actuelles. *Revue internationale de droit économique*, vol. XXXVI, no. 2 (2022): pp. 95–109.

Bouris, Dimitris, and Dimitris Papadimitriou. The EU and Contested Statehood in Its Near Abroad: Europeanisation, Actorness and State-Building. *Geopolitics*, vol. 25, no. 2 (2020): pp. 273–293.

Brody, James. Small Island Developing States Green Defense: Statehood, Sovereignty, and the Patron's Dilemma. *Chicago-Kent Journal of Environmental and Energy Law*, vol. 12, no. 2 (2023): pp. 6–29.

Burke, Róisín. International Law in the Buffer. *Journal of International Peacekeeping*, vol. 23, no. 3–4 (2020): pp. 249–302.

Burkett, Maxine. The Nation Ex-Situ: On Climate Change, Deterritorialized Nationhood and the Post-Climate Era. *Climate Law*, vol. 2, no. 3 (2011): pp. 345–374.

———. The Nation Ex-Situ. In *Threatened Island Nations. Legal Implications of Rising Seas and a Changing Climate*, edited by Michael B. Gerrard, and Gregory E. Wannier. New York: Cambridge University Press, 2013: pp. 89–122.

Burson, Bruce, Walter Kälin, and Jane McAdam. Statehood, Human Rights and Sea-Level Rise: A Response to the International Law Commission's Second Issues Paper on Sea-Level Rise in Relation to International Law. *Yearbook of International Disaster Law Online* vol. 4 (2023): pp. 265–280.

Caliguirri, Andrea. Sinking States: The Statehood Dilemma in the Face of Sea-Level Rise. *QIL QDI* (blog), April 30, 2022, available at <http://www.qil-qdi.org/sinking-states-the-statehood-dilemma-in-the-face-of-sea-level-rise>

Cizel, Annick. Anticolonialism, Peace in Europe, or Neutrality ? America's Reactions to Mussolini's Invasion of Ethiopia. *Transatlantica. Revue d'études américaines. American Studies Journal*, vol. 1 (2006).

Clark, Elizabeth. Borderland of the Mind: The Free City of Danzig and the Sovereignty Question. *German Politics and Society*, vol. 35, no. 3 (2017): pp. 24–37.

Consuegra, Alberto. Inglaterra, Francia y la Sociedad de Naciones: intereses y actitudes frente al segundo conflicto ítalo-etíope (1935–1936). *Contra Relatos desde el Sur*, no. 12 (2015): pp. 79–95.

Costi, Alberto. Urgence climatique : l'obligation de prévenir la disparition de l'État. *Revue québécoise de droit international / Quebec Journal of International Law / Revista quebequense de derecho internacional*, Hommage à Daniel Turp : Amicorum discipulorumque liber, Numéro hors-série (2022): pp. 233–267.

Crawford, James. *The Creation of States in International Law*, 2nd. ed., Oxford: Oxford University Press, 2007.

Daillier, Patrick, Mathias Forteau, Nguyen Quoc Dinh, and Alain Pellet. *Droit International Public*. 8th ed., Paris: L.G.D.J. Lextenso Éditions, 2009.

Diekjobst, Rouven. Sea-Level Rise and Public International Law: The Case of ‘Lost’ States. *Humanitäres Völkerrecht: Journal of International Law of Peace and Armed Conflict* 4, no. 1/2 (2021): pp. 50–61.

Dudant, Jean-Baptiste. Contre vents et marées: la politique juridique des Tuvalu face à la disparition annoncée des petits Etats insulaires. In *Climate Change and the Testing of International Law / Le droit international au défi des changements climatiques*, edited by Sandrine Maljean-Dubois, and Jacqueline Peel. Leiden: Brill-Nijhoff, The Hague Academy of International Law, 2023: pp. 547–572.

———. *La conservation de l’État en droit international*. Thèse de l’Université de Paris-Panthéon-Assas, dirigée par D. Alland, 669 p.

Dumienski, Z. Microstates, Small Economies, and Large Challenges. *Journal of International Affairs*, vol. 74, no. 2 (2022): pp. 149–154.

Evans, Malcolm D. *Islands, Law and Context: The Treatment of Islands in International Law*. 1st ed. Elgar International Law Series. Northampton: Edward Elgar Publishing, 2023.

Fiedorowicz, George de. Continuité de l’Etat. Enseignements de la guerre de Pologne. *Revue de droit international*, (1939): pp. 129–175.

Fife, Rolf Einar. Sea-Level Rise in Relation to International Law: How to Protect Coastal State Rights by Operationalizing Legal Analysis. In *The International Legal Order in the XXIst Century / L’ordre Juridique International Au XXIeme Siècle / El Orden Jurídico Internacional En El Siglo XXI*, edited by Jorge Viñuales, Andrew Clapham, Laurence Boisson de Chazournes, and Mamadou Hébié, Brill Nijhoff, 2023: pp. 780–798.

Forteau, Mathias, Alina Miron, and Alain Pellet. *Droit international public*. 9e édition. Paris: LGDJ, un savoir-faire de Lextenso, 2022.

Foster, Michelle, Nicola Hard, Hélène Lambert, and Jane McAdam. *The Future of Nationality in the Pacific: Preventing Statelessness and Nationality Loss in the Context of Climate Change*. Report. Peter McMullin Centre on Statelessness at the University of Melbourne, Kaldor Centre for International Refugee Law at the University of New South Wales, and University of Technology Sydney, May 2022.

Freestone, David, Richard Barnes, and Payam Akhavan. Agreement for the Establishment of the Commission of Small Island States on Climate Change and International Law (COSIS). *The International Journal of Marine and Coastal Law* 37, no. 1 (February 18, 2022): pp. 166–178.

Freestone, David, and Duygu Cicek. *International Law Aspects of Sea Level Rise*. Washington, D.C.: World Bank, 2023.

Freestone, David, and Clive Schofield. Sea Level Rise and Archipelagic States: A Preliminary Risk Assessment. *Ocean Yearbook Online*, vol. 35, no. 1 (July 20, 2021): pp. 340–387.

Freestone, David, Davor Vidas, and Alejandra Torres Camprubí. Sea Level Rise and Impacts on Maritime Zones and Limits. The Work of the ILA Committee on International Law and Sea Level Rise. *The Korean Journal of International and Comparative Law*, vol. 5, no. 1 (2017): pp. 5–35.

Gafner Rojas, Claudia María. El aumento del nivel del mar en el Acuerdo sobre Cambio Climático de 2015. In *Retos y compromisos jurídicos de Colombia frente al cambio climático*, edited by María del Pilar García and Óscar Darío Amaya Navas. Bogotá: Universidad Externado de Colombia, 2017: pp. 439–465.

- Gagain, Michael. Climate Change, Sea Level Rise, and Artificial Islands: Saving the Maldives' Statehood and Maritime Claims Through the "Constitution of the Oceans". *Colorado Journal of International Environmental Law and Policy*, vol. 23, no. 1 (2012): pp. 79–120.
- Gerrard, Michael B. Statehood and Sea-Level Rise: Scenarios and Options. *Charleston Law Review*, vol. 17, no. 4 (September 27, 2023): pp. 579–602.
- . and Gregory E. Wannier. *Threatened Island Nations: Legal Implications of Rising Seas and a Changing Climate*. New York: Cambridge University Press, 2013.
- Girardeau, Géraldine. Pacific Islands in the Face of Sea Level Rise. Some Reflections from an International Law Perspective. *Anuario Español de Derecho Internacional*, vol. 38 (2022): pp. 452–454.
- Gliboff, Jonathan. Waterproofing Statehood: Strengthening Claims for Continued Statehood for Sinking States Using 'E-Governance' Notes. *Columbia Law Review*, vol. 123, no. 6 (2023): pp. 1747–1794.
- Green, Alex. *Statehood as Political Community. International Law and the Emergence of New States*. Cambridge: Cambridge University Press, 2024.
- . Three Reconstructions of 'Effectiveness': Some Implications for State Continuity and Sea-Level Rise. *Oxford Journal of Legal Studies*, February 21, 2024, gqa003.
- Gussmann, Geronimo, and Jochen Hinkel. What Drives Relocation Policies in the Maldives? *Climatic Change*, vol. 163, no. 2 (November 1, 2020): pp. 931–951.
- Haber, Lutz. The Emperor Haile Selassie I in Bath, 1936–1940. In Trevor Fawcett (ed.). *Bath History*, Vol. III. Gloucester and Wolfeboro Falls: Alan Sutton (1990): pp. 159–180.
- Hananto, Pulung Widhi Hari, Nanik Trihastuti, Salawati Mat Basir, Rahandy Rizki Prananda, and Dzulfiki Muhammad Rizki. The Implication of Sea-Level Rise Toward the Small Island Nation of Maldives: Legal Perspective. *LAW REFORM*, vol. 18, no. 2 (July 28, 2022): pp. 132–143.
- Hayashi, Moritaka. Sea-Level Rise and the Law of the Sea. In *Research Handbook on Climate Change, Oceans and Coasts*, edited by Jan McDonald, Jeffrey McGee, and Richard Barnes, Cheltenham and Northampton: Edward Elgar Publishing, 2020: pp. 81–93.
- . Sea Level Rise and the Law of the Sea: How Can the Affected States Be Better Protected? In *The Limits of Maritime Jurisdiction*, edited by Clive Schofield, Seokwoo Lee, and Moon-Sang Kwon. Brill | Nijhoff, 2014: pp. 607–625.
- Hermann, Elfriede, and Wolfgang Kempf. Climate Change and the Imagining of Migration: Emerging Discourses on Kiribati's Land Purchase in Fiji. *The Contemporary Pacific*, vol. 29, no. 2 (2017): pp. 231–263.
- Herr, Richard A. Microstate Sovereignty in the South Pacific: Is Small Practical? *Contemporary Southeast Asia*, vol. 10, no. 2 (1988): pp. 182–196.
- Heyward, Clare and Jörgen Odalen. A Free Movement Passport for the Territorially Dispossessed. In *Climate Justice in a Non-Ideal World*, edited by Clare Heyward and Dominic Roser, Oxford University Press, 2016: pp. 208–226.
- Horodyskyy, I.M. Міжнародно-правовий статус Вільного міста Данциг (1920–1939) = International legal status of the Free City of Danzig (1920–1939). *Analytical and Comparative Jurisprudence*, no. 5 (2022): pp. 407–412.

- Kacewicz, George V. *Great Britain, the Soviet Union, and the Polish Government in Exile (1939–1945)*. Studies in Contemporary History; v. 3. The Hague; M. Nijhoff, 1979.
- Kehrer, Franziska. *Staatenverantwortlichkeit und Meeresspiegelanstieg*. 1. Aufl. Europäische Hochschulschriften. Reihe II, Rechtswissenschaft. Frankfurt a.M.: P. Lang, 2009.
- Labh, Nitya. The Legal Threat of Climate Change to Small Island States. *S AIS Review (Paul H. Nitze School of Advanced International Studies)*, vol. 43, no. 1 (2023): pp. 39–55.
- Lal, Kya Raina. Legal Measures to Address the Impacts of Climate Change-induced Sea Level Rise on Pacific Statehood, Sovereignty and Exclusive Economic Zones. *Te Mata Koi: Auckland University Law Review*, vol. 23 (2017): pp. 235–268.
- Lapaš, Davorin. Climate Change and International Legal Personality: ‘Climate Deterritorialized Nations’ as Emerging Subjects of International Law? *Canadian Yearbook of International Law*, vol. 59 (2022): pp. 1–35.
- Lok, Sarah. Sinking States, Sunken Statehood? The Recognition of Submerged States under International Law. *Cambridge Law Review*, vol. 8, no. 2 (2023): pp. 31–55.
- Loewenstein, Karl. Sovereignty and International Co-operation. *The American Journal of International Law*, vol. 48, no. 2 (1954): pp. 222–244.
- Losch, Sebastian. *Meeresspiegelanstieg und völkerrechtliche Herausforderungen für kleine Inselstaaten*. 1. Auflage. Schriften zum Völkerrecht. Berlin: Duncker & Humblot, 2023.
- Major, Matthias. The Relations Between Denmark, Greenland and the Faroe Islands. A Model with Future to Challenge Secessionism. In *Claims for Secession and Federalism*, edited by Alberto López-Basaguren and Leire Escajedo San-Epifanio. Cham: Springer International Publishing, 2019: pp. 233–245.
- Mayer, Benoit. International Advisory Proceedings on Climate Change. *Michigan Journal of International Law*, vol. 44, no. 1 (2023): pp. 41–116.
- McAdam, Jane. ‘Disappearing States’, Statelessness and the Boundaries of International Law. In *Climate Change and Displacement: Multidisciplinary Perspective*, edited by Jane McAdam, 1st. ed., Oxford and Portland: Hart Publishing, 2010: pp. 105–129.
- . Creating New Norms on Climate Change, Natural Disasters and Displacement: International Developments 2010–2013. *Refuge: Canada’s Journal on Refugees*, vol. 29, no. 2 (February 2014): pp. 11–26.
- . ‘Under Two Jurisdictions’: Immigration, Citizenship, and Self-Governance in Cross-Border Community Relocations. *Law and History Review*, vol. 34, no. 2, (2016): pp. 281–333.
- Morrison, Fred. Recognition in International Law: a Functional Reappraisal. *University of Chicago Law Review*, vol. 34, no. 4 (1967): pp. 857–883.
- Morrow, Ian F.D. The International Status of the Free City of Danzig. *British Yearbook of International Law*, vol. 18 (1937): pp. 114–126.
- Nesi, Giuseppe. Innalzamento del livello dei mari e diritto internazionale: le questioni riguardanti le linee di base e i limiti delle zone di mare nella prassi più recente. In *Mare liberum, mare clausum, Quarant’anni dalla Convenzione di Montego Bay sul diritto del mare*, edited by Fabrizio Marrella and Umberto Vattani. Milano: Giuffrè-Francis Lefebvre, 2023: pp. 97–114.

- Oliver, Selma. A New Challenge to International Law: The Disappearance of the Entire Territory of a State. *International Journal on Minority and Group Rights*, vol. 16, no. 2 (2009): pp. 209–243.
- Oppenheimer, F. E. Governments and Authorities in Exile. *The American Journal of International Law*, vol. 36, No. 4 (Oct., 1942): pp. 568–595.
- Oppenheimer, M., B.C. Glavovic, J. Hinkel, R. van de Wal, A.K. Magnan, A. Abd-Elgawad, R. Cai, M. Cifuentes-Jara, R.M. DeConto, T. Ghosh, J. Hay, F. Isla, B. Marzeion, B. Meyssignac, and Z. Sebesvari. Sea Level Rise and Implications for Low-Lying Islands, Coasts and Communities. In *IPCC Special Report on the Ocean and Cryosphere in a Changing Climate*, edited by Pörtner, H.O., D.C. Roberts, V. Masson-Delmotte, P. Zhai, M. Tignor, E. Poloczanska, K. Mintenbeck, A. Alegría, M. Nicolai, A. Okem, J. Petzold, B. Rama, N.M. Weyer. Cambridge: Cambridge University Press, 2022: pp. 321–445.
- Oral, Nilüfer, Bogdan Aurescu, Patricia Galvão Teles, and Juan José Ruda Santolaria. Rising Hopes Amid Rising Seas: Developments in International Law Addressing the Threat of Sea-Level Rise. *UN Chronicle*, January 31, 2024.
- Paepcke, Frederik von. *Statehood in Times of Climate Change: Impacts of Sea Level Rise on the Concept of States*. Europäische Hochschulschriften = Publications Universitaires Européennes = European University Studies. Reihe II, Rechtswissenschaft, Bd. 5690. Frankfurt am Main, Germany: PL Academic Research, 2015.
- Papanicolopulu, Irini. The Land Dominates the Sea (Dominates the Land Dominates the Sea). *QIL-Zoom-In*, vol. 47 (2018): pp. 39–48.
- Parkinson, V.H. Recognition in International Law. *Haile Selassie v. Cable & Wireless, Ltd. Res Judicatae*, vol. 36, no. 2 (1941): pp.155–157.
- Piguet, Etienne. Climate Statelessness: Risk Assessment and Policy Options. *Population and Development Review*, vol. 45, no. 4 (2019): pp. 865–883.
- Rim, Yejoon. 해수면 상승과 국가성 : ILC 논의의 의의 및 한계를 중심으로 = Sea-level Rise and Statehood : Significance and Limitations of the Work of the ILC. *국제법학회논총* = *The Korean Journal of International Law*, vol. 67, no. 4 (December 31, 2022): pp. 263–299.
- Risse, Mathias. The Right to Relocation: Disappearing Island Nations and Common Ownership of the Earth. *Ethics & International Affairs*, vol. 23, no. 3 (2009): pp. 281–300.
- Roberts, Hayley. Climate Change and the Legal Implications of Rising Sea Levels on Low-Lying States. In *Living with Climate Change*, edited by Trevor M. Letcher. Amsterdam: Elsevier, 2024: pp. 359–370.
- Ross, Nathan. Low-Lying States, Climate Change Induced Relocation, and the Collective Right to Self-Determination. Thesis supported in 2019 at the Victoria University of Wellington.
- Rossmann, Gabriel. Extremely Loud and Incredibly Close (but Still so Far): Assessing Liberland’s Claim of Statehood. *Chicago Journal of International Law*, vol.17 no. 1 (Summer 2016): pp. 306–339.
- Rouleau-Dick, Michel. Sea Level Rise and Climate Statelessness: From ‘Too Little, Too Late’ to Context-Based Relevance. *Statelessness & Citizenship Review*, vol. 3, no. 2 (2021): pp. 287–308.

- Schaller, Christian. “Der Meeresspiegelanstieg als Herausforderung für die maritime Ordnung: kann das Seevölkerrecht Stabilität gewährleisten?” *SWP-Studie*. Berlin: Stiftung Wissenschaft und Politik, January 22, 2021.
- Schofield, Clive, and David Freestone. Archipelagic Atoll States and Sea Level Rise. In *Peaceful Maritime Engagement in East Asia and the Pacific Region*, edited by James Kraska, Ronán Long, and Myron H. Nordquist. Leiden: Brill Nijhoff, 2022: pp. 85–101.
- Schröder, Tim, ed. Chapter 4: Improving Coastal Protection. In *Coasts – A Vital Habitat Under Pressure*. World Ocean Review 5. Hamburg: Maribus, 2017: pp. 141–181, available at <https://worldoceanreview.com/en/wor-5/improving-coastal-protection>.
- Semenova, Olena. Article 62 of VCLT and Sea Level Rise: Applicability of ‘Rebus Sic Stantibus’ to Maritime Zones and Boundaries. Working Paper. European University Institute, 2023.
- Sharon, Ori. To Be or Not to Be: State Extinction Through Climate Change. *Environmental Law*, vol. 51, no. 4 (2021): pp. 1041–1083.
- Shinkaretskaya, Galina. Утрата территории из-за повышения уровня моря и судьба государства = Loss of Territory because of Sea Level Rise and Fortune of the State. *Право. Журнал Высшей школы экономики*, vol. 16, No. 3 (2023): pp. 173–91.
- Simpson, Archie. On the Identification and Definition of Microstates. *Journal of International Affairs*, vol. 74, no. 2 (2022): pp. 67–80.
- Soete, Anemoon. *The international legal personality of islands States permanently submerged due to climate change effects*. Antwerp-Apeldoorn: Maklu, 2021.
- Soto, Max Valverde. Principios Generales Del Derecho Ambiental Internacional. *ILSA Journal of International & Comparative Law*, vol. 3, no. 1 (January 1, 1996): pp. 415–432.
- Sparks, Tom. Statehood in an Era of Sinking Islands. In *Routledge Handbook of Climate Justice*. New York: Routledge, 2018: pp. 83–99.
- Stoutenburg, Jenny Grote. *Disappearing Island States in International Law*. Leiden: Brill Nijhoff, 2015.
- Talmon, Stefan. Who is a legitimate government in exile? Towards normative criteria for governmental legitimacy in international law. In *The Reality of International Law. Essays in Honour of Ian Brownlie*, edited by Guy Goodwin-Gill and Stefan Talmon. New York: Oxford University Press, 1999: pp. 499–537.
- Temperley, Harold William Vazielle, ed. *A History of the Peace Conference of Paris*, vol. 6, Oxford: Oxford University Press, 1924.
- Tingting Qi. 海平面上升危机之下的国家地位的维持 = Maintenance of Statehood under the Sea-Level Rise Crisis. *Dispute Settlement*, vol. 10, no. 01 (January 5, 2024): pp. 308–315.
- Torres Camprubí, Alejandra. *Statehood under Water: Challenges of Sea-Level Rise to the Continuity of Pacific Island States*. Leiden: Brill Nijhoff, 2016.
- 許澤永(Tse-Yung Hsu). “海平面上升對國際法的影響—以聯合國國際法委員會研究內容為核心之探討 = The Effect of Sea-Level Rise on International Law: Study Centered on the Research Content of the United Nations International Law Commission.” 國立台灣大學學位論文, 2023.



Velásquez Barrionuevo, Alejandro José. La congelación de las líneas de base y de los límites marítimos de los Estados insulares en riesgo de perder la totalidad de sus respectivos territorios debido al aumento en el nivel del mar ocasionado por el cambio climático. *Agenda Internacional*, vol. 28, no. 39 (2021): pp. 227–258.

Vidas, Davor, and David Freestone. Legal Certainty and Stability in the Face of Sea Level Rise. Trends in the Development of State Practice and International Law Scholarship on Maritime Limits and Boundaries. *The International Journal of Marine and Coastal Law*, vol. 37, no. 4 (2022): pp. 673–725.

Vidmar, Jure. *Democratic Statehood in International Law: The Emergence of New States in Post-Cold War Practice*. Oxford: Portland, Oregon; Hart, 2013.

Virzo, Roberto. Sea-Level Rise and State of Necessity: Maintaining Current Baselines and Outer Limits of National Maritime Zones. *The Italian Review of International and Comparative Law*, vol. 2, no. 1 (2022): pp. 21–47.

—. États Vulnérables à l'élévation Du Niveau de La Mer, Intérêts Essentiels Dans Les Espaces Maritimes Nationaux et État de Nécessité. In *Élévation Du Niveau de La Mer et Droit International*, edited by Valérie Boré-Eveno. Paris: Éditions A. Pedone, 2022: pp. 129–150.

Vodiřá, Maria Liana. *Verschollene Staaten: Untergang Eines Staates Ohne Rechtsnachfolge Infolge Des Anthropogenen Klimawandels Im Kontext Des Übereinkommens von Paris – Staatenverantwortlichkeit Und Rechtsfolgen*. Schriften Zum Völkerrecht (SVR), 258. Berlin: Duncker & Humblot, 2023.

Wilde, Ralph. From Danzig to East Timor and Beyond: The Role of International Territorial Administration. *The American Journal of International Law*, vol. 95, no. 3 (2001): pp. 583–606.

Wong, Derek. Sovereignty Sunk? The Position of 'Sinking States' at International Law. *Melbourne Journal of International Law*, vol. 14, No. 2 (2013): pp. 346–391.

Xue, Julia Guifang. Climate Change and the Law of the Sea: Challenges of the Sea Level Rise and the Protection of the Affected States. In *Sustainable Development and the Law of the Sea*, edited by Seokwoo Lee and Keyuan Zou, Leiden: Brill Nijhoff, 2017: pp. 241–277.

Yamamoto, Lilian, and Miguel Esteban. Vanishing Island States and Sovereignty. *Ocean & Coastal Management*, vol. 53, no. 1 (January 1, 2010): pp. 1–9.

Zommers, Zinta. Addressing Climate Risks in Small Island States: Opportunities for Action, *International Institute for Sustainable Development*, 22 June 2022, available at <https://sdg.iisd.org/commentary/guest-articles/addressing-climate-risks-in-small-island-states-opportunities-for-action/>

#### الصكوك والوثائق السياسية والبيانات

Agreement for the Establishment of the Commission of Small Island States on Climate Change and International Law (31 October 2021), *Treaty Series*, No. 56940.

Pacific Islands Forum. *2023 Declaration on the Continuity of Statehood and the Protection of Persons Affected in the Face of Climate Change-Related Sea-Level Rise*. (9 November 2023).

Pacific Islands Forum. *2021 Declaration on Preserving Maritime Zones in the Face of Climate Change-Related Sea-Level Rise*. (6 August 2021).

Alliance of Small Island States (AOSIS). Leaders' Declaration (AOSIS) 2021.

International Covenant on Civil and Political Rights, United Nations, Treaty Series, vol. 999, N° 14668.

International Covenant on Economic, Social and Cultural Rights, United Nations, Treaty Series, vol. 993, N° 14531.

*وثائق الأمم المتحدة وغيرها من الوثائق*

General Assembly resolution [2625 \(XXV\)](#) (24 October 1970). UN Doc. A/RES/2625.

General Assembly resolution [1803 \(XVII\)](#) (14 December 1962) UN Doc. A/RES/1803.

*الأحكام القضائية والقرارات التحكيمية*

Deutsche Continental Gas-Gesellschaft v. Polish State (1929) 5 ILR11.

*القانون المحلي أو المقارن والقرارات الإدارية والقضائية الداخلية*

Government of Tuvalu. 2023. Constitution of Tuvalu 2023.

*مصادر أخرى/مواقع مؤسسية*

Australia – Australian Yearbook of International Law, vol. 4, 1968–1969, pp. 191–192.

Australia – Recognition of de jure incorporation of the Baltic States and withdrawal of such recognition – Australian Yearbook of International Law, vol. 6, pp. 229–231.

Australia – The criteria of statehood – Australian Yearbook, vol. 12, pp. 362–363.

Australia – Dissolution of Yugoslavia – Australian Yearbook of International Law, vol. 14, pp. 412–413.s

Australia – Refusal to recognize an Independent Kurdish State – Australian Yearbook of International Law, vol. 24, p. 348.

Australia – Kosovo's independence – Australian Yearbook of International Law, vol. 29, p. 315.

Belgium – Why it recognized Guinea-Bissau only on August 12, 1974 – Revue belge de droit international 1976/1, pp. 334–336.

Belgium – National position concerning the annexation of Estonia, Latvia and Lithuania by the USSR in 1940 – RBDI 1977/1-2, pp. 721–722.

Finland's apparent change in practice when it recognized the Baltic States in the nineties – K. Hakapaa, "Importance and Credibility of International Law", Finnish Yearbook of International Law, vol. 3, 1992, pp. 419–429.

France – Recognition of the People's Republic of China on January 27, 1964 – Annuaire francais de droit international, vol. 10, 1964, pp. 947–950.

France – Non-recognition of the Comores in 1976 – AFDI vol. 22, 1976, p. 997.

France – Non-recognition of the Sahrawi Republic in 1985 – AFDI, vol. 31, 1985, p. 1009.

France – Non-recognition of the Turkish Cypriot Republic – AFDI, vol. 32, 1986, p. 1020.

- France – Consequence of the division of Germany on its existence – AFDI, vol. 35, 1989, p. 888.
- France – Non-recognition of Tchetchenie in 1993 – AFDI, vol. 39, 1993, p. 1038.
- Italy – Why it could not recognize Guinea-Bissau before its independence in 1973 – Italian Yearbook of International Law, vol. 1, 1975, p. 299.
- Italy – Non-recognition of Palestine Liberation Organization in 1981 – Italian Yearbook of International Law, vol. 6, 1985, p. 217.
- Italy – Tamil Tigers as a state-like entity – Corte di Casazione (Sez. V penale), 21 January 2014, n° 2843, Criminal proceedings against Legoris Junis Antipuro, Thangavelu Suthaharan and Thevasmnajampillai Lowrance.
- Japan’s Diplomatic Reactions Towards the Kosovo’s Declaration of Independence. Japanese Yearbook of International Law, vol.53, 2010, pp. 457–468.
- Japan – Non-recognition of the Palestine Liberation Organization – Japanese Annual of International Law, vol. 30, 1987, pp. 136–137.
- Netherlands – Recognition of the German Democratic Republic in 1968 – Netherlands Yearbook of International Law, vol. 1, 1970, pp. 97–98.
- Netherlands – Conditions to be fulfilled to consider Guinea-Bissau a State in 1973 – Netherlands Yearbook of International Law, vol VI, 1975, p. 252.
- Netherlands – Non-recognition of Transkei in 1976 – Netherlands Yearbook of International Law, vol. IX, 1978, pp. 192–193.
- Spain – Baltic States’ restoration of sovereignty after the fall of the USSR – Revista Española de Derecho Internacional, vol. XLIII, 1991 (2), p. 420.
- Switzerland – Non-recognition of the Laos, Cambodia and Vietnam – Annuaire suisse de droit international, vol. VIII, 1951, p. 178.
- Switzerland – Recognition of newly independent African Sates – Annuaire suisse de droit international, vol. XVIII, 1961, pp. 114.
- Switzerland – Non-recognition of a State still treated as a State – Annuaire suisse de droit international, vol. XXV, 1968, pp. 244–245.
- Switzerland – Constitutive elements of the State and its recognition – Annuaire suisse de droit international, vol. XXXI, 1975, pp. 212–213.
- Switzerland – Sovereignty and recognition of States – Annuaire suisse de droit international, vol. XXXXIII, 1977, pp. 166–167.
- Switzerland – Governments-in-exile – Annuaire suisse de droit international, vol. XXXIII, 1977, pp. 167–168.
- Switzerland – Recognition of Italian sovereignty on Ethiopia in 1936 – P. Guggenheim (dir.), Répertoire Suisse de droit international public, vol. 1, Bâle, Helbing & Lichtenhahn, 1975, pp. 452–464.
- Switzerland – Continuity of the state despite revolutionary changes within it – Annuaire suisse de droit international, vol. XXX, 1974, pp. 147–148.

## (ب) المسائل المتصلة بحماية الأشخاص المتضررين من ارتفاع مستوى البحر

## كتب ومقالات

Al -Fouli, Hanan Ahmed. (الواقع القانوني والمسؤوليات) الحماية القانونية الدولية للاجئين تغيّر المناخ (Legal Reality and Responsibilities). In *روح القوانين* vol. 35, no. 104 (October 1, 2023): pp. 1477–1564.

Álamo Marchena, Enrique del. Migration and Human Displacement in the Context of Climate Change: Reflections on the Category of Climate Refugees. *Peace & Security – Paix et Sécurité Internationales (Euromediterranean Journal of International Law and International Relations)*, no. 9 (2021): pp. 1–13.

Anaya, James. Indigenous Peoples’ Participatory Rights in Relation to Decisions about Natural Resource Extraction: The More Fundamental Issue of What Rights Indigenous Peoples Have in Lands and Resources. *Arizona Journal of International and Comparative Law*, vol. 22, no. 1 (2005): pp. 7–18.

Anderson, Adrienne, Michelle Foster, Hélène Lambert, and Jane McAdam. Imminence in Refugee and Human Rights Law: A Misplaced Notion for International Protection. *International & Comparative Law Quarterly*, vol. 68, no. 1 (January 2019): pp. 111–140.

Argese, Francesco. Threats from Sea-Level Rise to Small and Low-Lying Island States: Is International Law a Hope for ‘Environmental Refugees’? *La Comunità Internazionale*, vol. 65, no. 3 (2010): pp. 435–454.

Ayena, Adodé Bignon Jean-Pierre. “Le droit international des droits humains entre instrumentalisation et contre-productivité : repenser l’absence de consécration juridique des réfugiés climatiques.” Mémoire de maîtrise en droit, Université de Sherbrooke, 2023.

Bhardwaj, Chhaya. Adaptation and Human Rights: A Decision by the Human Rights Committee Daniel Billy et al. v. Australia [CCPR/C/135/D/3624/2019](#). *Environmental Law Review*, vol.25, no. 2 (June 1, 2023): pp. 154–161.

Boncour, Philippe, and Bruce Burson. Climate Change and Migration in the South Pacific Region: Policy Perspectives. *Policy Quarterly*, vol. 5, no. 4 (2009): pp. 13–20.

Borràs-Pentinat, Susana. Climate Migration: A Gendered Perspective. *Environmental Policy and Law*, vol. 53, no. 5–6 (January 1, 2023): pp. 385–399.

Boré Eveno, Valérie, ed. *Élévation du niveau de la mer et droit international : de l’adaptation à l’action*. Pedone, 2022.

Bose, Sahana. Sea-Level Rise and Population Displacement in riadesh: Impact on India. *Maritime Affairs: Journal of the National Maritime Foundation of India*, vol. 9, no. 2 (December 1, 2013): pp. 62–81.

Burger, Michael, and Jessica Wentz. Climate Change and Human Rights. In *Elgar Encyclopedia of Environmental Law*. Edward Elgar Publishing, March 30, 2023: pp. 198–212.

Burson, Bruce, Walter Kälin, Jane McAdam, and Sanjula Weerasinghe. The Duty to Move People Out of Harm’s Way in the Context of Climate Change and Disasters. *Refugee Survey Quarterly*, vol. 37, no. 4 (2018): pp. 379–407.

Chaudhary, Akansha. The Right to Live: In Context of Climate Change. *Indian Journal of Law and Legal Research*, vol. 4, No. 1 (2022): 1–15.

- Chauhan, Ishan, and Harshdeep Singh Bedi. Exploring Legal Avenues for the Protection of Environmental Migrants Through a Rights Lens. In *Global Climate Change and Environmental Refugees: Nature, Framework and Legality*, edited by Pardeep Singh, Bendangwapang Ao, and Anamika Yadav, Cham: Springer International Publishing, 2023: pp. 215–234.
- Chazalnoël, Mariam Traore, and Alex Randall. La Migration et Les Effets à Évolution Lente Du Changement Climatique : État de La Situation et Mesures à Prendre. In *État de La Migration Dans Le Monde 2022*. Geneva: Organisation internationale pour les migrations (OIM), 2022: pp. 247–270.
- Cournil, Christel. Les « déplacés climatiques », les oubliés de la solidarité internationale et européenne. De la gouvernance au contentieux. *La Revue des droits de l'homme. Revue du Centre de recherches et d'études sur les droits fondamentaux*, no. 22 (June 30, 2022).
- , and Emnet Gebre. Climate Change, Mobility, Law and Human Rights. In *Elgar Encyclopedia of Environmental Law*. Edward Elgar Publishing, 2023: pp. 213–223.
- Deane, Vanessa L. “Pour la justice climatique dans les Caraïbes : le cas français.” In *Le Climatoscope*, 122. Université de Sherbrooke, 2023.
- Dutta, Ashirbani. Climate Change and Internal Displacement. *Environmental Law and Practice Review*, vol. 8 (2023): pp. 84–96.
- Eremeeva, Polina. “Проблема Правового Статуса ‘Экологических Беженцев’ = The Problem of the Legal Status of ‘Environmental Refugees.’” *Voprosy Rossiiskogo i Mezhdunarodnogo Prava [= Matters of Russian and International Law]*, vol. 10, no. 6A (2020): pp. 173–82. <https://doi.org/10.34670/AR.2020.11.16.055>.
- Espinoza, Aura Marina Lemos, Angie Gabriela Sánchez Erazo, Johana Alexia Fierro Vega, and Elvis Guillermo Fuentes Tenorio. Derechos Humanos y cambio Climático: Perspectivas Jurídicas. *Polo del Conocimiento*, vol. 9, no. 2 (May 31, 2024): pp. 2903–2913.
- Farah, Paolo D., and Riccardo Tremolada. Conflict Between Intellectual Property Rights and Human Rights: A Case Study on Intangible Cultural Heritage. *Oregon Law Review*, vol. 94, no. 1 (January 27, 2016): pp. 125–178.
- Farbotko, Carol. *Best Practices for Addressing the Legal and Policy Challenges of Climate Mobility*. New York: United Nations Children’s Fund (UNICEF), June 2021.
- Fitzmaurice, Malgosia, and Agnes Viktoria Rydberg. Using International Law to Address the Effects of Climate Change: A Matter for the International Court of Justice? *Yearbook of International Disaster Law Online*, vol. 4 (April 13, 2023): pp. 281–305.
- Galloway, Mari. ‘Teitiota v New Zealand’, Climate Migration and Non-Refoulement: A Case Study of Canada’s Obligations under the Charter and the ICCPR. *Dalhousie Law Journal*, vol. 45, no. 2 (2022): pp. 385–425.
- Gianni, Francesca di. Climate Change and the Risk for ‘Climatic Statelessness.’ *Nijmegen Migration Law Working Papers Series 2022/02* (2022). Available at: <https://repository.uibn.ru.nl/handle/2066/248489>.
- Hagiarian, Benjamin. The Daniel Billy v Australia Case; Its Semantics and the Characterization of a Climate Threat as a Cause for Migration. *Amsterdam Law Forum*, vol. 15, no. 1 (2023): pp. [3]–[12].

Haque, Asirul, Md Habibur Rahman, and Dilara Rahman. An Evaluation of Sea Level Rise Vulnerability and Resilience Strategy to Climate Change in the Coastline of Bangladesh. *International Journal of Environmental Sciences & Natural Resources*, vol. 18, no. 2 (March 29, 2019): pp. 1–15.

Jalloh, Charles Chernor. Approaches to Sea Level Rise: A Comparative View of Emerging Policy Responses by the African and the American Regions. *American University International Law Review* 38, no. 3 (January 1, 2023).

Jägers, Nicola. Climate change-induced displacement, migration and international law. In *Research Handbook on Climate Change Adaptation Law*. Edward Elgar Publishing, 2022: pp. 68–104.

Jolly, Oriane Valentine. “Climate Change Induced Migration in International Law – Addressing the Protection Gap in International Law Regarding Internationally Displaced Persons Due to the Impacts of Climate Change: The Example of Pacific Island States.” Master thesis, University of Oslo, 2020.

Jaswal, Paramjit S., and Stellina Jolly. Climate Refugees: Challenges and Opportunities for International Law. *Journal of the Indian Law Institute*, vol. 55, no. 1 (2013): pp. 45–58.

Kleiman, Abby. Climate displacement and human rights: rectifying the current legal protection lacuna through international and regional solutions. *The International Journal of Human Rights*, vol. 27, no. 3 (2023): pp. 552–581.

Leumbe, Jean-Jacques Parfait Poumo. “Les déplacés environnementaux : problématique de la recherche d’un statut juridique en droit international.” PhD Thesis. Université de Limoges, 2015.

Lisauskate, Valentina Vlado. Международное Право Бедствий Как Новая Отрасль Международного Публичного Права: Необходимость Формирования и Доктринального Обоснования = International Disaster Law as a New Branch of Public International Law: The Need for Formation and Doctrinal Justification. *Международное Право*, no. 4 (2018): pp. 50–72.

Losch, Sebastian. *Meeresspiegelanstieg Und Völkerrechtliche Herausforderungen Für Kleine Inselstaaten*. Schriften Zum Völkerrecht (SVR), Band 259. Duncker & Humblot, 2023.

Magliozzi, Olivia. A Well-Founded Fear of the Climate: Utilizing Environmental Governance Structures to Protect Climate Refugees. *Suffolk Transnational Law Review*, vol. 46, no. 1 (2023): pp. 123–176.

Maguire, Amy. Climate Change-Related Displacement of Coastal and Island Peoples: Human Rights Implications. In *Research Handbook on Climate Change, Oceans and Coasts*. Edward Elgar Publishing, 2020: pp. 152–173.

Mativo, John. Climate Change Displacement Litigation in Africa: A Human Rights and Refugee Law-Based Approach. In *Climate Litigation and Justice in Africa*. Bristol University Press, 2024: pp. 153–167.

Mayer, Benoit. Can Rights-Based Litigation Bolster Climate Action? *Climate Law*, vol. 13, no. 1 (June 23, 2023): pp. 57–81.

—. *The Concept of Climate Migration: Advocacy and Its Prospects*. Elgar Studies in Climate Law. Cheltenham, England; Edward Elgar Publishing, 2016.

McAdam, Jane. *Climate Change, Forced Migration, and International Law*. Oxford: Oxford University Press, 2012.

McAdam, Jane, Bruce Burson, Walter Kälin, and Sanjula Weerasinghe. *International Law and Sea-Level Rise: Forced Migration and Human Rights*. UNSW Law Research Paper, 2016.

McAdam, Jane. Protecting People Displaced by the Impacts of Climate Change. The UN Human Rights Committee and the Principle of Non-Refoulement. *American Journal of International Law*, vol. 114, no. 4 (2020): pp. 708–725.

Misedjan, Daphina. Separate but Equal in the Protection against Climate Change? The Legal Framework of Climate Justice for the Caribbean Part of the Kingdom of The Netherlands. *The Geographical Journal*, vol. 189, no. 4 (2023): pp. 613–624.

Movilla Pateiro, Laura. Sea Level Rise, Migration and Human Rights: Recent Developments in International Law. In *Irregular Migrations in Europe: A Perspective from the Sea Basin*. Napoli: Editoriale Scientifica, 2022: pp. 339–362.

—. Subida del nivel del mar, migraciones y derechos humanos: desarrollos recientes en el ordenamiento jurídico internacional. In *El desarrollo del Derecho del mar desde una perspectiva argentina y europea*. Barcelona: J.M. Bosch Editor, 2022: pp. 275–306.

Nhantumbo, Bernardino, Olusegun Dada, and Franck Ghomsi. Sea Level Rise and Climate Change – Impacts on African Coastal Systems and Cities. In *Sea Level Rise and Climate Change – Impacts on African Coastal Systems and Cities*. IntechOpen, 2023.

Noorda, Aylin Yildiz. *Climate Change, Disasters and People on the Move: Providing Protection under International Law*. World Trade Institute Advanced Studies 11. Leiden; Brill Nijhoff, 2022.

Parisi, Chiara. “Déplacements forcés de population et droit international.” PhD Thesis, Université Côte d’Azur; Università degli studi di Milano – Bicocca, 2023.

Poddar, Debasis. Characterizing the Climate Diaspora from Small-Island-States Prone to Sea-Level-Rise. *Environmental Law and Practice Review*, vol. 8 (2023): pp. 1–30.

Pigrau, Antoni, and Gabriela Alexandra Oanta. Global Warming, Sea-Level Rise and Small Island and Archipelagic States: A Test of Climate Justice. In *Law of the Sea and Vulnerable Persons and Groups*. Napoli: Editoriale Scientifica, 2019: pp. 121–149.

Pitukhina, Maria. Linkage between Climate Change, Human Rights and Human Mobility: Caribbean and the Pacific Case. *The EURASEANs: Journal on Global Socio-Economic Dynamics*, vol. 6, no. 37 (October 24, 2022): pp. 7–23.

Rajamani, Lavanya. The Increasing Currency and Relevance of Rights-Based Perspectives in the International Negotiations on Climate Change. *Journal of Environmental Law*, vol. 22, no. 3 (2010): pp. 391–429.

Sadeq, Houria Tazi, and Mohamed Ali Mekouar. *Crise de l’eau, changements climatiques et migration*. L’Harmattan, 2021.

Saha, Anindita Roy, and Shubhra Seth. From Conflict to Climate: Refugees to IDPs (Internally Displaced Persons) in the Bay of Bengal. *Journal of the Indian Ocean Region*, vol. 19, no. 3 (September 2, 2023): pp. 204–219.

Salvador Gimeno, Santiago. Los desplazamientos poblacionales inducidos por Cambio Climático: desafíos y propuestas jurídico-políticas para su regulación. *Actualidad Jurídica Ambiental*, no. 138 (2023): pp. 97–124.

Shields, Sophie, Andrea Longo, Mia Strand, and Elisa Morgera. Children’s Human Right to Be Heard at the Ocean-Climate Nexus. *The International Journal of Marine and Coastal Law*, vol. 38, no. 3 (July 26, 2023): pp. 545–580.

Spijkers, Otto. United Nations General Assembly Request for an Advisory Opinion of the International Court of Justice on the Obligations of States in Respect of Climate Change. *Chinese Journal of Environmental Law*, vol. 7, no. 1 (June 21, 2023): pp. 13–18.

Stephens, Mariah. The Great Climate Migration: A Critique of Global Legal Standards of Climate-Change Caused Harm. *Sustainable Development Law & Policy*, vol. 23, no. 2 (July 24, 2023): pp. 16–17.

Stewart, Melissa. Cascading Consequences of Sinking States. *Stanford Journal of International Law*, vol. 59, no. 2 (2023): pp. 131–186.

Teles, Patricia Galvão. Derechos Humanos y Cambio Climático: Un Desafío Para El Siglo XXI. *Anuario de Los Cursos de Derechos Humanos de Donostia-San Sebastian* vol. XX (2020): pp. 289–303.

—. The ‘Human Face’ of Sea-Level Rise: Protection of Persons Affected. Conference on Sea Level Rise and International Law: Assessing Its Impacts on the Americas. *American University International Law Review*, vol. 38, no. 3 (2023): pp. 693–700.

Teles, Patrícia Galvão, Claire Duval, and Victor Tozetto da Veiga. International Cooperation and the Protection of Persons Affected by Sea-Level Rise: Drawing the Contours of the Duties of Non-Affected States. *Yearbook of International Disaster Law Online*, vol. 3 (2022): pp. 213–237.

Yamamoto, Lilian, and Miguel Esteban. *Atoll Island States and International Law: Climate Change Displacement and Sovereignty*. Berlin, Heidelberg: Springer, 2013.

Ziemele, Ineta. State Succession and Issues of Nationality and Statelessness. In *Nationality and Statelessness under International Law*, edited by Alice Edwards and Laura van Waas Cambridge: Cambridge University Press, 2014: pp. 217–246.

林哲宇 (Zhe-Yu Lin). “氣候變遷調適政策的因應—環境正義的角度 = Climate Change Adaptation Policy and Environmental Justice.” Thesis(碩士), 中原大學財經法律研究所, 2020, available at <https://hdl.handle.net/11296/hdewju>.

#### الصكوك والوثائق السياسية والبيانات

Pacific Islands Forum. *Pacific Regional Framework on Climate Mobility*. [endorsed by leaders at the Fifty-Second (52nd) Pacific Islands Forum, 6-10 November 2023].

وثائق أجهزة الأمم المتحدة

الجمعية العامة

General Assembly resolution [77/276](#) (29 March 2023), “Request for an Advisory Opinion of the International Court of Justice on the Obligations of States in Respect of Climate Change”, at <https://digitallibrary.un.org/record/4008332>.

مجلس الأمن

Security Council, seventy-eighth year, 9260th meeting, 14 February 2023, New York. [S/PV.9260](#).



## مجلس حقوق الإنسان

Human Rights Council. 2023. “Providing Legal Options to Protect the Human Rights of Persons Displaced across International Borders Due to Climate Change : Report of the Special Rapporteur on the Promotion and Protection of Human Rights in the Context of Climate Change, Ian Fry.” [A/HRC/53/34](#).

## مفوضية الأمم المتحدة السامية لشؤون اللاجئين (مفوضية شؤون اللاجئين)

Hansen-Lohrey, Cleo. 2023. “Assessing Serious Disturbances to Public Order under the 1969 OAU Convention, Including in the Context of Disasters, Environmental Degradation and the Adverse Effects of Climate Change.” No. 41. Legal and Protection Policy Research Series for the Division of International Protection. Geneva: UN High Commissioner for Refugees (UNHCR).

United Nations High Commissioner for Refugees (UNHCR). 2023. Amicus Brief of the Office of the United Nations High Commissioner for Refugees to the Inter-American Court of Human Rights Regarding the Request for an Advisory Opinion on the Climate Emergency and Human Rights from the Republic of Colombia and the Republic of Chile. UNHCR.

—. 2022. “Climate Change, Displacement and Human Rights.” Thematic Report. <https://www.refworld.org/reference/themreport/unhcr/2022/en/124057>.

## الإعلانات الصادرة عن المؤتمرات التي تعقدها الأمم المتحدة

United Nations Framework Convention on Climate Change – reports of Conferences of the Parties and other documents

## الوثائق السياسية الوطنية والإقليمية

Fiji. 2021. *Climate Change Act 2021: An Act to Establish a Comprehensive Response to Climate Change, to Provide for the Regulation and Governance of the National Response to Climate Change, to Introduce a System for the Measurement, Reporting and Verification of Greenhouse Gas Emissions and for Related Matters*. <https://fijiclimatechangeportal.gov.fj/legislation/climate-change-act-2021-an-act-to-establish-a-comprehensive-response-to-climate-change-to-provide-for-the-regulation-and-governance-of-the-national-response-to-climate-change-to-introduce-a-system/>.

قرارات المحاكم والهيئات القضائية الدولية والإقليمية وهيئات معاهدات حقوق الإنسان والمحاكم الوطنية

المحاكم والهيئات القضائية الدولية

المحاكم الإقليمية

*Duarte Agostinho and Others v. 32 Member States* (46336/09, 16 April 2024)

هيئات معاهدات حقوق الإنسان

Torres Straits Islanders. *Views adopted by the Human Rights Committee under article 5 (4) of the Optional Protocol, concerning Communication No. 3624/2019*. Date of adoption 21 July 2022. [CCPR/C/135/D/3624/2019](#)

المحاكم الوطنية

German Federal Constitutional Court (2021) – [https://www.bundesverfassungsgericht.de/SharedDocs/Entscheidungen/EN/2021/03/rs20210324\\_1bvr265618en.html](https://www.bundesverfassungsgericht.de/SharedDocs/Entscheidungen/EN/2021/03/rs20210324_1bvr265618en.html).