

## **THE LEGAL IMPLICATIONS OF SEA-LEVEL RISE: STATEHOOD, SOVEREIGNTY, AND RIGHTS OF SINKING ISLAND STATES**

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### **ABSTRACT**

The emerging issue of rising sea levels due to climate change has caused unprecedented challenges to face the existential threat experienced by low-lying states, specifically regarding the status of their statehood and sovereignty, while the impact of the issue has affected the rights of their population. The International Law Commission has taken steps to address the issue by interpreting existing international legal principles. In addition, scholars have proposed various solutions, including deterritorialized statehood and governments-in-exile. However, these proposals and efforts have not granted the threatened states the territory to relocate their population to continue their livelihood and enforce their authority. This research investigates further the challenges that existing principles face and the possibility of maintaining statehood through a state's relocation. Through a normative legal method and doctrinal analysis, the study explores the concept of state relocation through territorial leasing and identifies whether imposing sanctions for states that have neglected their climate obligation is possible. This research concluded that reinterpretation of existing norms is a viable solution to adapt to the issue.

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**Keywords:** Sea-Level Rise, Territorial Relocation, Environmental Displacement.

***IMPLIKASI HUKUM KENAIKAN PERMUKAAN LAUT: KENEGARAAN,  
KEDAULATAN, DAN HAK-HAK NEGARA KEPULAUAN YANG  
TENGCELAM***

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***INTISARI***

*Isu kenaikan permukaan laut yang muncul akibat perubahan iklim telah menimbulkan tantangan yang belum pernah terjadi sebelumnya terhadap keberlangsungan negara-negara dataran rendah, khususnya terkait dengan status kenegaraan dan kedaulatan mereka, sementara dampaknya juga telah memengaruhi hak-hak penduduk mereka. Komisi Hukum Internasional (International Law Commission) telah mengambil langkah-langkah untuk menangani isu ini melalui penafsiran prinsip-prinsip hukum internasional yang sudah ada. Selain itu, para akademisi telah mengusulkan berbagai solusi, termasuk konsep kenegaraan tanpa teritori (deterritorialized statehood) dan pemerintahan dalam pengasingan (government-in-exile). Namun, berbagai usulan dan upaya tersebut belum memberikan solusi konkret berupa wilayah baru bagi negara-negara yang terancam untuk merelokasi penduduknya demi kelangsungan hidup dan pelaksanaan otoritasnya. Penelitian ini mengkaji lebih lanjut tantangan yang dihadapi oleh prinsip-prinsip hukum yang ada serta kemungkinan mempertahankan status kenegaraan melalui relokasi negara. Melalui metode*

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