



VMUN 2026

# Social, Humanitarian, and Cultural Committee

BACKGROUND GUIDE



## Vancouver Model United Nations

The Twenty-Fifth Annual Session | January 23<sup>rd</sup>-25<sup>th</sup>, 2026

Jerry Chen  
Secretary-General



Annie Zhao  
Director-General

Cindy Yang  
Chief of Staff

Erwin Wang  
Director of Logistics



Jojo Yang  
USG General Assemblies

Bryan Fa  
USG Specialized Agencies

Serena Zhang  
USG of Regional Councils

Preston She  
USG of Committees

Ken Zhao  
USG Operations

Mary Lu  
USG Conference



Daniel Fu  
USG Finance

Adrian Pun  
USG Delegate Affairs

Cate Shumka  
USG Delegate Affairs

Ryan Xu  
USG Design & Media

Dear Delegates,

My name is Jasreen Kaur Johal and it is an honour to take on the role of Director for the Social, Humanitarian, and Cultural Committee (SOCHUM) at VMUN 2026. On behalf of myself, my Chair Vanessa Chen, and my Assistant Directors Purab Cheema and Thomas Chen, we wish you a warm welcome to SOCHUM.

I began my journey in Model UN nearly 6 years ago in Grade 5, and it has since become one of the most defining aspects of my academic and personal growth. VMUN in particular holds a special place, from kicking off my journey in Model UN in Canada, to igniting the spark that inspired me to establish a club at my current school. That moment of inspiration continues to shape how I approach and navigate my work, and I hope this year's conference ignites something equally meaningful for you.

In SOCHUM this year, we will be examining two deeply relevant topics: Climate Refugees and Mass Incarceration and Prison Overpopulation. These topics challenge us to think critically about justice, responsibility, and the human cost of policy decisions. I encourage you to reflect on the lived realities behind the statistics and research your assigned country's policies and perspectives well. The more prepared you are, the more confident you will be and the more rewarding your experience will become.

On behalf of the entire dais team, I look forward to meeting all of you and to a weekend of cherished memories; experiences that extend beyond the walls of the committee room and the span of the conference itself. Whether this is your first conference or one of many, I am excited to see the ideas, passion, and insight you offer to SOCHUM. If you have any questions or concerns, please feel free to reach me at [sochum@vmun.com](mailto:sochum@vmun.com). All the best in your preparations!

Best regards,

Jasreen Kaur Johal  
SOCHUM Director

# Position Paper Policy

## What is a Position Paper?

A position paper is a brief overview of a country's stance on the topics being discussed by a particular committee. Though there is no specific format the position paper must follow, it should include a description of your positions your country holds on the issues on the agenda, relevant actions that your country has taken, and potential solutions that your country would support.

At Vancouver Model United Nations, delegates should write a position paper for each of the committee's topics. Each position paper should not exceed one page and should all be combined into a single document per delegate.

For SOCHUM, position papers, although strongly recommended, are not required. However, delegates who wish to be considered for an award must submit position papers.

## Formatting

Position papers should:

- Include the name of the delegate, his/her country, and the committee
- Be in a standard font (e.g. Times New Roman) with a 12-point font size and 1-inch document margins
- Not include illustrations, diagrams, decorations, national symbols, watermarks, or page borders
- Include citations and a bibliography, in any format, giving due credit to the sources used in research (not included in the 1-page limit)

## Due Dates and Submission Procedure

Position papers for this committee must be submitted by **January 12, 2026, at 23:59 PT**. Once your position paper is complete, please save the file as your last name, your first name and send it as an attachment in an email to your committee's email address, with the subject heading as "[last name] [first name] — Position Paper". Please do not add any other attachments to the email. Both your position papers should be combined into a single PDF or Word document file; position papers submitted in another format will not be accepted.

Each position paper will be manually reviewed and considered for the Best Position Paper award. The email address for this committee is [sochum@vmun.com](mailto:sochum@vmun.com).

<b>Climate Refugees</b> .....	<b>4</b>
Overview .....	4
Timeline .....	5
Historical Analysis .....	7
Early Legal Frameworks and Absence of Environmental Protection .....	7
Scientific Recognition and Emergence of “Environmental Refugees” .....	7
Historical Patterns of Environmental Displacement.....	8
Terminological Debate and Protection Gaps .....	8
Climate Justice and Advocacy .....	9
Past UN/International Involvement.....	10
United Nations Human Rights Council & the Office of the High Commissioner for Human Rights.	10
United Nation Human Rights Committee and the Teitiota v. New Zealand Case .....	10
United Nations Framework Convention on Climate Change (UNFCCC) .....	11
The Cartagena Declaration (1984).....	11
United Nations Guiding Principles on Internal Displacement (1998) .....	12
The Nansen Initiative (2012-2015) and the Platform on Disaster Displacement (2016) .....	12
The Global Compact for Safe, Orderly, and Regular Migration (GCM) .....	12
Current Situation .....	13
Current Context and Scope.....	13
Socioeconomic Challenges.....	15
Dimensions of the Debate: Climate Change as a Driver of Displacement .....	16
International Initiatives for Protection.....	17
Possible Solutions and Controversies .....	18
Expanding Legal Protections and Frameworks.....	18
Adaptation, Resilience, and Sustainable Development .....	19
Regional and Bilateral Cooperation.....	20
Humanitarian Visas and Temporary Protection .....	21
Bloc Positions .....	22
Small Island Developing States (SIDS).....	22
Landlocked and Low-Lying Developing Countries (LLDCs) .....	23
Global South (Major Developing Economies) .....	23
Developed Nations (OECD Countries).....	24

Oil and Gas Exporting Countries.....	25
Discussion Questions .....	25
Bibliography .....	26
<b>Mass Incarceration and Prison Overpopulation.....</b>	<b>30</b>
Overview .....	30
Timeline .....	31
Historical Analysis.....	32
From Detention to Punishment.....	33
Colonialism and the Spread of Penal Systems .....	33
Political Control and Postcolonial Inheritance.....	33
Emergence of Global Mass Incarceration.....	34
Past UN/International Involvement.....	35
The Standard Minimum Rules for the Treatment of Prisoners and the Nelson Mandela Rules.....	35
United Nations Rules for Non-Custodial Measures (Tokyo and Bangkok Rules).....	35
Office of the High Commissioner for Human Rights and the Human Rights Council .....	36
International Committee of the Red Cross (ICRC).....	37
Penal Reform International (PRI).....	37
Current Situation .....	37
Pre-Trial Detention and Incarceration Alternatives .....	38
Abuse and Neglect in Overcrowded Prison Systems.....	39
Inequalities in Incarceration .....	40
Case Study: El Salvador.....	41
Case Study: Finland.....	42
Possible Solutions and Controversies .....	44
Decriminalization and Human Rights-Centred Reforms.....	44
Non-Custodial Measures and Alternatives to Incarceration.....	45
Addressing Inequities and Reintegration.....	46
Bloc Positions .....	47
Developing Reform-Oriented Nations.....	47
Western Low-Incarceration Nations .....	47
“Tough on Crime” Nations.....	47
Reforming High-Incarceration Nations.....	48

Mixed Reform Nations .....	48
Discussion Questions .....	48
Bibliography .....	50

# Climate Refugees

## Overview

Humans throughout the ages have been forced to leave their homelands for a variety of reasons, including wars, conflicts and economic situations. A critical new dimension has appeared with the emerging climate crisis. Historically, it was considered normal for people to move across borders in search of a better life.<sup>1</sup> Today, however, the scale is unimaginable: millions are forced to abandon their habitats, having fewer choices on their destinations and facing detrimental living conditions on arrival.<sup>2</sup> It is predicted that by 2050, climate change will result in the displacement of 200 million to 1 billion people.<sup>3, 4</sup> Until the late 20th century, these people existed without a name.

The concept and terminology of *climate refugees* emerged only in the 1970s. The 1951 Refugee Convention did not include environmental factors as a reason to seek asylum. The term only gained significance in 1985, when Essam El-Hinnawi defined “environmental refugees” as individuals who are compelled to leave their habitats, either temporarily or permanently, due to natural or human-caused environmental disruption that severely threatens their survival or diminishes their quality of life.<sup>5</sup>

Climate change impacts migration in two forms: first, through sudden-onset disasters like floods and hurricanes, and second, via more gradual, slower-onset processes like desertification and rising sea levels. Usually, climate change is not the sole cause of migration. It often interacts with factors like poverty, conflict, and weak governance or political instability. For example, when people from low-lying coastal areas move to urban centres due to climate change effects, these places are ill-equipped to receive such a large influx of “displaced” persons or migrants. It creates additional issues of poor hygiene and sanitation as already scarce resources, such as housing and food, reach their breaking point. In 2022 alone, a record high of those displaced by climate events was reached, with 32.6 million people displaced.<sup>6</sup> Despite such large numbers, there is to date no legal recognition for such refugees under international law.<sup>7</sup> Moreover, there is no binding international agreement which can hold nations accountable for giving protection to such individuals. There are competing views of various stakeholders, like the vulnerable Small Island Developing States (SIDS), developed nations, and major oil-producing countries. The growing gap between humanitarian needs and the international response is a cause of major concern. There is a constant battle to balance human rights and cultural preservation of climate migrants with the sovereign right of receiving nations to preserve their borders.

---

<sup>1</sup> Emmanuel K. Boon, and Tran Le Tra, “Are Environmental Refugees Refused?,” *Studies of Tribes and Tribals* 5, no. 2 (2007): 85-95. <https://citeseerx.ist.psu.edu/document?repid=rep1&type=pdf&doi=591588cefa09dce2b13c55222b0ce1fe2bfafa89>.

<sup>2</sup> Ibid.

<sup>3</sup> Cecilia Tacoli, *Crisis or Adaptation? Migration and Climate Change in a Context of High Mobility*, UNDP Human Development Reports (2009), <https://journals.sagepub.com/doi/epdf/10.1177/0956247809342182>.

<sup>4</sup> “Climate Change Recognized as ‘Threat Multiplier’,” UN Security Council,” UN, n.d., <https://www.un.org/peacebuilding/fr/news/climate-change-recognized-%E2%80%98threat-multiplier%E2%80%99-un-security-council-debates-its-impact-peace>.

<sup>5</sup> Essam E. Hinnawi, *Environmental Refugees* (Nairobi, Kenya: United Nations Environment Programme, 1985).

<sup>6</sup> “Research Publications,” Climate Change and Migration: The State of International Refugee and Human Rights Law, n.d., [https://lop.parl.ca/sites/PublicWebsite/default/en\\_CA/ResearchPublications/202402E](https://lop.parl.ca/sites/PublicWebsite/default/en_CA/ResearchPublications/202402E).

<sup>7</sup> “Crisis Looms,” Climate Refugees, n.d., <https://www.climate-refugees.org/why>.

The Social, Humanitarian and Cultural Committee (SOCHUM) must work to address these gaps. As the UN's primary committee tasked with the promotion of fundamental freedoms and human dignity, SOCHUM needs to consider how to safeguard the rights to housing, livelihood, education, and cultural identity for those facing displacement due to climate change.

## Timeline

**June 1972** — Environmental degradation is linked to human well-being at the Stockholm UN Conference on Human Environment. This summit is the first major international discussion of environmental concerns.<sup>8</sup> It established a framework for global environmental governance through the declaration's 26 principles, an Action Plan of 109 recommendations, and the creation of the United Nations Environment Programme (UNEP).

**March 1985** — Essam El-Hinnawi, an Egyptian environmental expert and researcher at the National Research Centre in Cairo, introduces and defines the term "environmental refugees" in a United Nations Environment Programme (UNEP) report.<sup>9</sup> The report frames environmental displacement as a direct humanitarian and policy issue, attracting global attention and influencing later discussions on climate refugees.

**December 1997** — The Kyoto Protocol, the first legally binding global climate agreement, is signed, indirectly acknowledging that climate change would affect vulnerable populations. This agreement legally binds nations to mitigate climate change by reducing emissions of greenhouse gases as a step to prevent climate-induced migration.<sup>10</sup>

**March 2000** — In the first instance of a nation as a whole seeking a response to a climate crisis, Tuvaluan officials discuss the relocation of their citizens to New Zealand due to rising sea levels. Although no final agreement is reached, diplomatic talks on immigration proceed between the two nations.<sup>11</sup>

**August 23, 2005** — Hurricane Katrina displaces 1 million people in the United States, showing how climate-related disasters could impact population movement even in developed nations.<sup>12</sup>

**October 2007** — The issue of climate migrants is discussed on the international stage at the Intergovernmental Panel on Climate Change (IPCC). This is the first time the issue of climate migrants was backed by scientific peer-reviewed data highlighting specific causes like sea-level rise, desertification, and water scarcity.<sup>13</sup>

---

<sup>8</sup> United Nations Conference on the Human Environment, Stockholm 1972," United Nations, n.d., <https://www.un.org/en/conferences/environment/stockholm1972>.

<sup>9</sup> Essam E. Hinnawi, *Environmental Refugees* (Nairobi, Kenya: United Nations Environment Programme, 1985).

<sup>10</sup> "What is the Kyoto Protocol?" UNFCCC, n.d., [https://unfccc.int/kyoto\\_protocol](https://unfccc.int/kyoto_protocol).

<sup>11</sup> Sue Farran, "Seeking a Pragmatic and Creative Solution to the Challenge of Sea-Level Rise: The Case of Tuvalu," QIL QDI, June 13, 2025, [https://www.qil-qdi.org/wp-content/uploads/2023/07/07\\_Sea-level-rise\\_FARRAN\\_FIN-19.07.2023.pdf](https://www.qil-qdi.org/wp-content/uploads/2023/07/07_Sea-level-rise_FARRAN_FIN-19.07.2023.pdf).

<sup>12</sup> World Vision Staff, "Hurricane Katrina: Facts, Faqs, and How to Help," World Vision, November 20, 2023, <https://www.worldvision.org/disaster-relief-news-stories/2005-hurricane-katrina-facts>.

<sup>13</sup> "Climate Change 2007: Impacts, Adaptation and Vulnerability," Working Group II Contribution to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change, n.d. [https://www.ipcc.ch/site/assets/uploads/2018/03/ar4\\_wg2\\_full\\_report.pdf](https://www.ipcc.ch/site/assets/uploads/2018/03/ar4_wg2_full_report.pdf).



**May 4, 2010** — Kiribati develops the “Migration with Dignity” policy to allow its population to eventually relocate to New Zealand as rising seas threaten habitability. This policy is the first example of direct action by a vulnerable nation, threatened by climate action, attempting to equip its people with skills and education to secure employment in other countries.<sup>14</sup>

**October 2012** — The Nansen Initiative is launched by Norway and Switzerland as a platform to build consensus on the protection of persons displaced across international borders due to climate disasters and climate change. This initiative focuses on the legal void in the protection of climate migrants, resulting in the formulation of state-led practical international, national, and regional protection policies, such as the Platform on Disaster Displacement, an intergovernmental cooperation platform responsible for supporting the states in implementing the initiative’s recommendations.<sup>15</sup>

**March 2015** — The Sendai Framework for Disaster Risk Reduction is adopted. The agreement focuses on proactive disaster risk reduction, prioritizing the principle of “Build Back Better.” It provides an international framework for states to incorporate planned relocation to climate-induced displacement.<sup>16</sup>

**March 2023** — The United Nations General Assembly (UNGA) adopts resolution A/77/L.58, requesting the International Court of Justice’s (ICJ) advisory opinion for potentially reshaping the legal accountability of nations for climate change-related harm beyond existing climate treaties. This opinion, though not legally binding, carries immense moral and legal weight, as it allows vulnerable nations to hold high-emissions countries accountable for climate-induced displacement.<sup>17</sup>

**November 2023** — The “Falepili Union” Treaty is signed between Australia and Tuvalu. It is the world’s first bilateral agreement on climate mobility. Its Article 2 mandates Australia to provide financial assistance for adaptation measures in Tuvalu and a “new human mobility pathway” allowing up to 280 Tuvaluans a special visa to live, work and study in Australia.<sup>18</sup>

**June 2, 2025** — The Internal Displacement Monitoring Centre (IDMC) publishes a “Countdown to 2030” report that asserts not enough is being done globally towards governance and adaptation mechanisms for reducing climate displacement disasters. It emphasizes the need to improve the evidence base, create displacement-inclusive policy frameworks, secure adequate resources, and “build back better”.<sup>19</sup>

---

<sup>14</sup> Kiribati National Labour Migration Policy n.d.,

<https://www.unescap.org/sites/default/files/Kiribati%20National%20Labour%20Migration%20Policy.pdf>.

<sup>15</sup> “Agenda for the Protection of Cross-Border Displaced Persons in the Context of Disasters and Climate Change - Volume I,” Platform on Disaster Displacement, July 8, 2019, <https://disasterdisplacement.org/resource/nipa-vol1/>.

<sup>16</sup> “Addressing Disaster Displacement in Disaster Risk Reduction Policy and Practice: A Checklist | Undrr,” n.d., <https://www.undrr.org/publication/addressing-disaster-displacement-disaster-risk-reduction-policy-and-practice-checklist>.

<sup>17</sup> Jorge Alejandro Carrillo Bañuelos and Maria Antonia Tigre, “The ICJ’s Advisory Opinion on Climate Change: Key Takeaways from the 2024 Hearings (Part 1),” Climate Law Blog, March 10, 2025, <https://blogs.law.columbia.edu/climatechange/2025/03/10/the-icjs-advisory-opinion-on-climate-change-key-takeaways-from-the-2024-hearings-part-1>.

<sup>18</sup> Australia-Tuvalu Falepili Union treaty, n.d. <https://www.dfat.gov.au/geo/tuvalu/australia-tuvalu-falepili-union-treaty>.

<sup>19</sup> “Countdown to 2030: Achieving Global Targets on Disaster Displacement - World,” ReliefWeb, June 2, 2025, <https://reliefweb.int/report/world/countdown-2030-achieving-global-targets-disaster-displacement#>.

### Early Legal Frameworks and Absence of Environmental Protection

For much of the early 20th century, human displacement was linked to war and political violence, not the environment. This perception has led to the lack of critical frameworks, rights, and support for climate-displaced persons. For instance, the 1951 Refugee Convention, created in the aftermath of World War 2, originated in an era with limited knowledge of the effects of climate change on human displacement. As such, it defines refugees as individuals unable or unwilling to return to their nations of origin for fear of prosecution based on race, religion, nationality, membership of certain social groups, or political standing.<sup>20</sup> Refugees of environmental degradation and other climate-related factors were not included under this definition, as such concerns were viewed as temporary, domestic matters rather than an international protection issue.<sup>21</sup>

### Scientific Recognition and Emergence of “Environmental Refugees”

The tide of obscurity changed in the 1960s, when scientific research established links between human migration and ecological stress, marking a paradigm shift in understanding displacement. The 1972 Stockholm Conference on the Human Environment related environmental degradation to human well-being, which set a foundation for future discourse as the focus shifted to displacement.<sup>22</sup> The term “environmental refugees” first entered academic discourse in 1976 when the Worldwatch Institute recognized environmental degradation as a driver of human displacement.<sup>23</sup> Further, in 1985, the UN Environment Programme expert Essam El-Hinnawi defined environmental refugees as people who are forced to leave their traditional habitat, temporarily or permanently, because of a marked environmental disruption.<sup>24</sup>

By 1988, Norman Myers, an influential British environmentalist, predicted that environmental refugees would become “the single largest class of displaced persons in the world,” projecting up to 200 million facing displacement in the long run. Such early reports were fundamental in framing the status of climate refugees and raising global awareness. However, these high estimates, while valuable for advocacy, were criticized as being simplistic and flawed.<sup>25</sup> Predicting climate-related migration involves nuance in economic, political and social factors, not just environmental ones.

---

<sup>20</sup> UNHCR. “The 1951 Refugee Convention.” <https://www.unhcr.org/about-unhcr/overview/1951-refugee-convention>.

<sup>21</sup> Refugee History. “Environmental Refugees and the 1951 Convention.” October 15, 2021.

<http://refugeehistory.org/blog/2021/10/15/environmental-refugees-and-the-1951-convention>.

<sup>22</sup> James Morrissey, “Environmental Change and Forced Migration,” 2009, n.d. <https://www.rsc.ox.ac.uk/files/files-1/dp-environmental-change-forced-migration-2009.pdf>.

<sup>23</sup> James Morrissey, “Environmental Change and Forced Migration,” 2009, n.d. <https://www.rsc.ox.ac.uk/files/files-1/dp-environmental-change-forced-migration-2009.pdf>.

<sup>24</sup> Bates, Diane C. “Environmental Refugees? Classifying Human Migrations Caused by Environmental Change.” *Population and Environment* 23, no. 5 (2002): 465–77. <http://www.jstor.org/stable/27503806>.

<sup>25</sup> Lübken, Uwe. “Histories of the Unprecedented: Climate Change, Environmental Transformations, and Displacement in the United States.” *Open Library of Humanities* 5, no. 1 (2019). <https://doi.org/10.16995/olh.347>.

## Historical Patterns of Environmental Displacement

Throughout the late 20th century, major climate disasters began revealing how climate-induced human migration intersects with social, political and economic factors.<sup>26</sup> Environmental disasters broadly fall into four categories: acute hazards requiring immediate displacement, like floods, hurricanes or earthquakes; slow-onset hardships, like droughts, desertification or shifts in temperature that slowly erode livelihoods; direct human impacts on the environment, such as industrial disasters and pollution; and finally land or environmental development projects that displace traditional communities. However, not all those threatened by climate change migrate, as some adapt while others may be trapped by poverty and lack of resources. This results in a further classification of “environmentally motivated migrants,” who would choose to move, fearing future distress, “environmental refugees,” who are fleeing disasters or even slow-onset hazards, and “development refugees,” who are forced to move away because of state projects.<sup>27</sup>

For instance, in October 1998, Hurricane Mitch devastated the Central American states of Honduras, Nicaragua, Guatemala, and El Salvador with 75 inches of rain, killing nearly 11,000 people, displacing two million residents, and damaging 23,900 homes in Nicaragua itself while spurring infrastructure (water, sewage, and roads) collapse.<sup>28</sup> Earlier, the region had also seen droughts from 1997–1998 that weakened agriculture. Therefore, when Mitch struck, the communities were economically unstable and politically marginalized, and pre-existing poverty, unemployment and social inequality were exacerbated.<sup>29</sup> Internationally, responses to this calamity were limited and short-term. A lack of long-term protection, a limited international protection framework, and slow reconstruction processes displaced individuals permanently to unprepared urban centers in the United States. Mitch led to cross-border migration, with the U.S. government establishing Temporary Protected Status (TPS) for around 75,000 Hondurans (who were already in U.S. territory at the time).<sup>30</sup> While the TPS set a precedent for addressing short-term displacement, it was never a permanent route to citizenship or a climate migration policy.<sup>31</sup> Moreover, the effectiveness of other responses was based on scale and context: humanitarian aid reduced loss of life, but was not a durable solution addressing root causes, as internal relocation sparked overcrowding, lack of services, and social tension.<sup>32</sup> The TPS was temporary relief, but left thousands in a legal limbo, subject to political whim rather than binding obligations, thereby revealing the fragmented international response.<sup>33</sup>

## Terminological Debate and Protection Gaps

As the environmental disasters like Hurricane Mitch revealed the scale of climate-driven displacement, it sparked contention over the terminology used. By the early 2000s, media and advocacy grew to favour the inclusion of “refugees” in the terminology when referencing climate-displaced persons, emphasizing the urgency tied to their

---

<sup>26</sup> Daniel Hoyer et al., “Navigating Polycrisis: Long-Run Socio-Cultural Factors Shape Response to Changing Climate,” *Philosophical Transactions of the Royal Society B: Biological Sciences* 378, no. 1889 (September 18, 2023), <https://doi.org/10.1098/rstb.2022.0402>.

<sup>27</sup> Bogumil Terminski, “Towards recognition and protection of forced environmental migrants in the public international law: Refugee or IDPs umbrella?” (2012): 21, <https://d-nb.info/1192124545/34>.

<sup>28</sup> Ralph C. Scott, “Hurricane Mitch Floods Central America,” EBSCO Research Starters, 2023, <https://www.ebsco.com/research-starters/history/hurricane-mitch-floods-central-america>.

<sup>29</sup> Ibid.

<sup>30</sup> American University, DC, “Extending Temporary Protected Status for Honduras | American University, Washington, DC,” American, <https://www.american.edu/centers/latin-american-latino-studies/extending-tps-for-honduras.cfm>.

<sup>31</sup> Reichman, D.R. “Putting climate-induced migration in context.” PubMed Central, July 3, 2022. <https://pmc.ncbi.nlm.nih.gov/articles/PMC9251033/>.

<sup>32</sup> Ibid.

<sup>33</sup> Ibid.

situation.<sup>34</sup> However, the international community, such as the UN and its agencies, have resisted the use of the term “climate refugee” due to its implications of legal protection under the 1951 Refugee Convention.<sup>35</sup>

This inconsistency reflects a gap in legal protection and a resistance to expanding the definition of a refugee, leaving climate-displaced persons in a gray zone of international law. Extending the term “refugee” to include environmental factors would imply that states would have new obligations, such as granting asylum rights. This highlights the tension that climate-displaced persons have faced, falling outside of international protections, and also shows the broader concerns about sovereignty and burden sharing.<sup>36</sup> Moreover, the terminology used holds added contention, as policies have started to shift from conventional 20th-century definitions of “refugee” to acknowledging the imminent threat posed to human settlements by climate change.

### Climate Justice and Advocacy

The scale of climate-driven displacement has also sparked many ethical concerns and developed the idea of climate justice—the concept of states holding responsibility for the detrimental human influences on the environment caused by their own actions. Vulnerable low-lying states like Tuvalu and Kiribati, which also come under the category of Small Island Developing States (SIDS), have emphasized their existential threats at the UN General Assembly, such as in Kiribati President Anote Tong’s speech in September 2012. His statement linked historic emissions of industrialized nations to climate change and displacement.<sup>37</sup> Such states push the narrative that those contributing the least to climate change face the most severe consequences, including loss of territory and cultural identity, advocating for high-emission states to be held responsible.

Beginning in the 1980s, global sea-level rise became supported by evidence, and Kiribati became an advocate for its own climate vulnerability.<sup>38</sup> At that time, Kiribati’s government sought early adaptation through the means of coastal protection, improving infrastructure and internal relocation.<sup>39</sup> However, as conditions worsened, Kiribati purchased land in Fiji in 2014 and launched a National Climate Financing Strategy in 2024.<sup>40</sup> This brought to the forefront issues such as the loss of identity, highlighting how there is now a necessity for regional partnerships as well as an attention to human rights. As the climate crisis escalates, it is a reminder for SOCHUM to center its debate around its core mandate for the well-being of humanity.

---

<sup>34</sup> D. R. Reichman, “Putting climate-induced migration in context,” *PMC Public Health* (2022), 3, <https://pmc.ncbi.nlm.nih.gov/articles/PMC9251033/>.

<sup>35</sup> IOM, *Migration, Climate Change and the Environment: Compendium*, (IOM, -), 11.

<sup>36</sup> C. Cournil, “The Question of the Protection of ‘Environmental Refugees’ from the Standpoint of International Law,” in *Migration and Climate Change*, ed. D’Etienne Piguet, Antoine Pécoud & Paul de Guchteneire (Cambridge: Cambridge University Press, 2011), 360–361.

<sup>37</sup> “Kiribati: General Debate,” United Nations, September 26, 2012, <https://gadebate.un.org/en/67/kiribati>.

<sup>38</sup> Government of Kiribati, *First National Communication to the United Nations Framework on Climate Change*, 199.

<sup>39</sup> The World Bank, “*Kiribati: Kiribati Adaptation Program – Phase III*,” September 15, 2011, World Bank, <https://www.worldbank.org/en/results/2011/09/15/kiribati-adaptation-program-phase-3>.

<sup>40</sup> Laurence Caramel, “Besieged by the rising tides of climate change, Kiribati buys land in Fiji,” *The Guardian*, July 1, 2014, <https://www.theguardian.com/environment/2014/jul/01/kiribati-climate-change-fiji-vanua-levu>.

## Past UN/International Involvement

### United Nations Human Rights Council (HRC) and the Office of the High Commissioner for Human Rights (OHCHR)

The UNHRC is the UN's primary political body, and it has contributed to raising awareness of the links between human rights and climate change by successive adoption of a series of resolutions related to climate migrants.<sup>41</sup> The 2017 and 2023 resolutions (HRC 35/20 and HRC 53/6) were the key turning points in international law, as they specifically mentioned rights of migrants due to climate change and how "erosion of livelihoods" caused by climate change becomes a push factor for displacement.<sup>42</sup> Resolution 48/14 in 2021 was another crucial document, as it resulted in the creation of a Special Rapporteur on the promotion and protection of human rights in the context of climate change.<sup>43</sup> The Rapporteur was mandated to study and report on how climate change adversely affects human rights and recommend mitigation actions, engaging directly by conducting country visits.

The UNHRC has thus created "soft law" that establishes a link between climate change and human rights.<sup>44</sup> Each resolution has added a formal layer and built a legal foundation for arguments on climate justice. A major weakness, however, is that UNHRC resolutions are not legally binding and serve as recommendations rather than enforceable obligations, failing to compel states to take concrete action. There is more focus on studies and reports than action, and therefore, there is a need to expand from theory to practice by translating these resolutions into concrete, legally binding instruments. Presently, a state can vote in favour of a resolution but face no consequence for failing to implement it. Therefore, due to the lack of formal definitions and legally binding agreements, significant gaps exist in providing durable solutions that address the problems of those who are forced to cross borders, internally migrate, or remain in place with no other choice in the face of climate change.<sup>45</sup>

### United Nation Human Rights Committee and the Teitiota v. New Zealand Case

UN Human Rights Mechanisms are legal bodies that check compliance with specific human rights, providing an avenue to hold states accountable. The most significant action was seen from the UN Human Rights Committee (not to be confused with the Human Rights Council), which monitored the International Covenant on Civil and Political Rights (ICCPR) in the case of Ioane Teitiota v. New Zealand.<sup>46</sup> Teitiota, a citizen of Kiribati, a low-lying Pacific Island nation, had applied for refugee protection in New Zealand. He claimed that deporting him to Kiribati violated his right to life, as climate change had resulted in freshwater scarcity, food insecurity and the rapid disappearance of habitable land in the island nation. Although Teitiota's claim was denied, the ruling established a groundbreaking legal precedent regarding the principle of non-refoulement, which prohibits a country from returning a person to a place where they would face serious harm or a threat to their life, with respect to the effects of climate change. However, this case also set a very high bar for asylum, making it difficult for people affected by slow-onset climate change to seek protection as the ruling premised that there was no

---

<sup>41</sup> "Human rights council resolutions on Human Rights and Climate Change," OHCHR, n.d., <https://www.ohchr.org/en/climate-change/human-rights-council-resolutions-human-rights-and-climate-change>.

<sup>42</sup> Ibid.

<sup>43</sup> Human Rights Council. (n.d.). *Resolution adopted by the Human Rights Council on 8 October 2021*. United Nations. <https://docs.un.org/en/A/HRC/RES/48/14>.

<sup>44</sup> Ibid.

<sup>45</sup> Kabot, C. (2025, May 27). No status, no safety: Climate migrants in legal limbo. Global Governance Forum. <https://globalgovernanceforum.org/legal-status-climate-migrants-gap-in-global-governance/>.

<sup>46</sup> "UN Human Rights Committee Views Adopted on Teitiota Communication," Climate Change Litigation, n.d. <https://climatecasechart.com/non-us-case/un-human-rights-committee-views-adopted-on-teitiota-communication/>.

“imminent” threat to life in Teitiota’s instance.<sup>47</sup> Again, although the UN Human Rights Committee decisions are not internationally binding, the non-refoulement standards set by the decision are worth revisiting in future resolutions.<sup>48</sup>

### **United Nations Framework Convention on Climate Change (UNFCCC)**

The UNFCCC, also referred to as the Conference of the Parties (COP), is the central forum for international climate negotiations to incorporate climate-induced displacement into global climate policy. COP16, held in Cancun, Mexico in 2010, called on all parties for the first time to take measures to increase understanding, coordination, and cooperation on the issue of climate-induced migration and displacement in the Cancun Adaptation Framework.<sup>49</sup> During the later COP21 in 2015, the Paris Agreement called on parties to “respect, promote and consider” the human rights of migrants with respect to climate change.<sup>50</sup> This agreement resulted in the establishment of a Task Force on Displacement (TFD) to “develop recommendations related to the adverse impacts of climate change.”<sup>51</sup> Specifically, the TFD’s recommendations urged parties to integrate human mobility into national climate action plans and improve data collection and risk analysis, while at the same time strengthening cooperation among international bodies for implementation. This showcases that the international community was committed to moving beyond broad language and to creating a specialized body to address climate displacement. This successfully raised the issue of climate-induced human displacement to the highest level of international climate policy. However, again, the language is non-binding, calling on parties to “consider” and “promote”, which is voluntary without any legal consequences for failing to implement. The TFD, however, has no mandate, resources, or independent funding to implement solutions. This remains a big gap in the UN response, which is a potential issue for SOCHUM to address.

### **The Cartagena Declaration (1984)**

The Cartagena Declaration is a non-binding regional intergovernmental instrument adopted in 1984 by Mexico, Panama, and various delegates from Central America.<sup>52</sup> It is significant as it expanded the definition of a refugee beyond the 1951 Refugee Convention to include “persons who have fled their country because their lives, safety or freedom have been threatened by generalized violence, foreign aggression, internal conflicts, massive violations of human rights or other circumstances which have seriously disturbed public order”. It better addresses the realities of forced displacement in the region, as the “other circumstances which have seriously disturbed public order” clause allows legal experts to include sudden-onset disasters (like hurricanes and floods) or slow onset climate events (like desertification and sea level rise). This framework is more adaptable to climate displacement—unlike the 1951 Refugee Convention’s focus on individual persecution, it shifts the criteria to a threat to one’s life, safety, or freedom within a broader context of public disturbance. Although this framework is

---

<sup>47</sup> “Historic UN human rights case opens door to climate change asylum claims,” OHCHR, January 21, 2020, <https://www.ohchr.org/en/press-releases/2020/01/historic-un-human-rights-case-opens-door-climate-change-asylum-claims>.

<sup>48</sup> Kabot, “No status, no safety.”

<sup>49</sup> “The Cancun Agreements,” UNFCCC, <https://unfccc.int/tools/cancun/index.html>.

<sup>50</sup> Adoption of the paris agreement united nations, n.d., <https://unfccc.int/resource/docs/2015/cop21/eng/l09r01.pdf>

<sup>51</sup> Ibid.

<sup>52</sup> Michael Reed Hurtado, “The Cartagena Declaration on Refugees and the Protection of People Fleeing Armed Conflict and Other Situations of Violence in Latin America (Chapter 5) - in Flight from Conflict and Violence,” Cambridge Core, n.d., <https://www.cambridge.org/core/books/abs/in-flight-from-conflict-and-violence/cartagena-declaration-on-refugees-and-the-protection-of-people-fleeing-armed-conflict-and-other-situations-of-violence-in-latin-america/83849F8A03A06A2F8D7A3E24A5E97580>.

non-binding, it can be used to interpret the 1951 Refugee Convention to extend its protections, especially when the climate migrant is a victim of conflict and violence due to climate change.<sup>53</sup>

## United Nations Guiding Principles on Internal Displacement (1998)

Though not specific to climate change, the UN Guiding Principles on Internal Displacement recognize the rights of internally displaced persons (IDPs) and mandate that states have a responsibility to protect their citizens from arbitrary displacement and to provide them with aid.<sup>54</sup> The set of 30 guiding principles addresses displacement, protection during displacement, the framework for humanitarian assistance and protection during return, local integration in the locations where the persons have been displaced, and resettlement in another part of the country. Although not binding, the UN General Assembly considers them as an important international framework for IDP protection. They are consistent with international humanitarian law, and some regional organizations and states have incorporated them into laws and policies.<sup>55</sup> The definition of IDPs includes those forced to flee due to natural or human-made disasters and is therefore applicable to climate migrants. The principles could potentially be used by SOCHUM delegates to discuss legal solutions for climate migrants.

## The Nansen Initiative (2012-2015) and the Platform on Disaster Displacement (2016)

The Nansen Initiative was a bottom-up consultative process between states that aimed to build consensus on methods of protecting people displaced across borders by climate change and disasters. In 2015, it published the Agenda for the Protection of Cross-Border Displaced Persons in the Context of Disasters and Climate Change, which identified three priority action areas in increasing knowledge on disaster-displacement, strengthening humanitarian protection measures for displaced individuals, and enhancing disaster risk management in countries of origin. This was endorsed by 109 states, and the Platform on Disaster Displacement would later be established in 2016 to support countries in enacting the strategies and responses laid out in the Agenda through information sharing, policy advice, and technical assistance between states.<sup>56, 57</sup> These initiatives serve as key examples of how cross-national cooperation can streamline the implementation of potential solutions and increase international recognition of the urgency of climate migration.

## The Global Compact for Safe, Orderly, and Regular Migration (GCM)

Adopted in 2018, the GCM is a non-binding framework that aims to improve migration governance and calls for an urgent and broader international response. It is the first comprehensive intergovernmental agreement on international migration. The compact's core objective is to protect human rights of all migrants regardless of their status, cause, or reason for their migratory displacement.<sup>58</sup> Though its scope is not limited to climate migrants,

---

<sup>53</sup> Sussman, C. M. (n.d.). A Global Migration Framework Under Water: How Can the International Community Protect Climate Refugees?. Chicago Journal of International Law. <https://cjl.uchicago.edu/sites/default/files/2023-03/Sussman%20ChiJIntlOnline41.pdf>.

<sup>54</sup> "Guiding Principles on Internal Displacement," IDMC - Internal Displacement Monitoring Centre, n.d., <https://www.internal-displacement.org/internal-displacement/guiding-principles-on-internal-displacement/>.

<sup>55</sup> Ibid.

<sup>56</sup> "Agenda for the Protection of Cross-Border Displaced Persons in the Context of Disasters and Climate Change: The Nansen Initiative," October 2015." *International Journal of Refugee Law* 28, no. 1 (2016): 156–62. <https://doi.org/10.1093/ijrl/eew004>.

<sup>57</sup> "What We Do," Platform on Disaster Displacement, n.d., accessed December 7, 2025, <https://disasterdisplacement.org/what-we-do/>.

<sup>58</sup> Global Compact for Safe, orderly and regular migration (GCM) | OHCHR, n.d., <https://www.ohchr.org/en/migration/global-compact-safe-orderly-and-regular-migration-gcm>.

the Compact explicitly acknowledges the principle of non-refoulement and discusses issues related to individuals affected by disasters and climate change, including the development of disaster resilience and adaptation, providing humanitarian assistance to disaster-displaced migrants, and the implementation of humanitarian visa or planned relocation schemes for such persons.<sup>59</sup> The GCM provides a valuable general framework with principles that delegates can refine and adapt for a climate migration-specific solution.

## Current Situation

### Current Context and Scope

Climate change and its impacts on human migration are layered and unpredictable, as current data is less reliable due to ambiguity with definitions.<sup>60</sup> The scope, however, is unprecedented and accelerating quickly due to the intensifying weather events. Since 2008, 25.3 million people have been displaced yearly due to sudden climate events, according to the Internal Displacement Monitoring Centre (IDMC).<sup>61</sup> In 2024, the figure doubled to 45.8 million internal displacements.<sup>62</sup> Weather-related events, often exacerbated by climate change, accounted for 99.5 percent of disaster displacements in 2024, while cyclones had triggered 54 percent of movements and floods were responsible for another 42 percent.<sup>63</sup> However, these figures encompass only sudden-onset disasters (hurricanes, floods, and wildfires) and do not include the many millions affected by slow-onset climate changes (such as desertification, sea-level rise, glacial melt, and droughts) that devastate livelihoods to the point of permanent migration. Furthermore, these slow-onset disasters are multifaceted: an individual's choice to migrate is not directly spurred by drought; rather, the prolonged water scarcity's impacts on agriculture, the following economic collapse, and the resultant food insecurity create a cause-and-effect cycle that is hard to categorize. Similarly, the gradual rise of the sea is a severe threat, especially for low-lying coastal zones and small island states; around 600 million people live in areas less than 10 metres above sea level, and many major metropolitan areas are vulnerable to the rising sea and coastal floods.<sup>64</sup> Strong national responses and future planning hold the potential to lessen or even mitigate risks for many communities.<sup>65</sup>

“Climate refugees” remains a term widely used in media and advocacy, but unrecognized by international law, which instead favours alternate terms like “climate migrants,” or “environmentally displaced persons.”<sup>66, 67</sup> The difficulty of isolating environmental reasons from economic or humanitarian factors in migrating, the ambiguity of when such movement becomes “forced” rather than “voluntary” (for instance, when faced with slow-onset factors), and concerns regarding weakening the legal status of traditional refugees make defining climate migrants

---

<sup>59</sup> “The Global Compact for Migration: A Breakthrough for Disaster-Displaced Persons and the Beginning of a Long Process,” *Platform on Disaster Displacement*, July 25, 2018, <https://disasterdisplacement.org/perspectives/the-global-compact-for-migration-a-breakthrough-for-disaster-displaced-persons-and-the-beginning-of-a-long-process/>.

<sup>60</sup> Oli Brown, *Migration and Climate Change*, IOM Migration Research Series No. 31, International Organization for Migration, Geneva, [https://publications.iom.int/system/files/pdf/mrs-31\\_en.pdf](https://publications.iom.int/system/files/pdf/mrs-31_en.pdf).

<sup>61</sup> Internal Displacement Monitoring Centre (IDMC), “Disasters and Climate Change,” <https://www.internal-displacement.org/disasters-and-climate-change>.

<sup>62</sup> “Tackling Disaster Displacement to Deliver on the Sendai Targets,” IDMC - Internal Displacement Monitoring Centre, <https://www.internal-displacement.org/policy-analysis/tackling-disaster-displacement-to-deliver-on-the-sendai-targets/>.

<sup>63</sup> Tara Petronio, “In an Uncertain World, TVCs Provide Protection,” *Take on Typhoid*, June 20, 2025, <https://www.coalitionagainststtyphoid.org/in-an-uncertain-world-tvc-provide-protection/>.

<sup>64</sup> IDMC, “Disaster and Climate Change.”

<sup>65</sup> Ibid.

<sup>66</sup> UNHCR, *How climate change impacts refugees and displaced communities*, USA for UNHCR, November 12, 2024, <https://www.unrefugees.org/news/how-climate-change-impacts-refugees-and-displaced-communities/>.

<sup>67</sup> Jane McAdam, et al, “International Protection, Disasters and Climate Change,” *International Journal of Refugee Law* 36,no. 1-2 (March/June 2024): 180, <https://doi.org/10.1093/ijrl/eeae012>.



as refugees a contentious and complex issue.<sup>68</sup> The legal void surrounding climate migrants is most acute for cross-border displacement, when individuals cross international borders to escape environmental degradation. When remaining in their own nations, such individuals, comprising the majority of climate-related migrants, would be categorized as internally displaced persons (IDPs) and be the legal responsibility of their own national state, which may or may not have policies for their support.<sup>69, 70</sup> The World Bank estimates that up to 216 million people could be categorized as internal climate migrants by 2050, often driven by torrents of slow-onset degradation across six world regions: Sub-Saharan Africa is particularly vulnerable, facing the largest projection of 86 million internal climate migrants; East Asia and the Pacific, 49 million; South Asia, 40 million; North Africa, 19 million; Latin America, 17 million; and Eastern Europe and Central Asia, 5 million.<sup>71</sup> These regions, the “hot spots” facing the most severe climate change impacts, often include nations with the lowest emissions and accountability, and are also the least equipped with resources to allocate to future planning.<sup>72</sup>

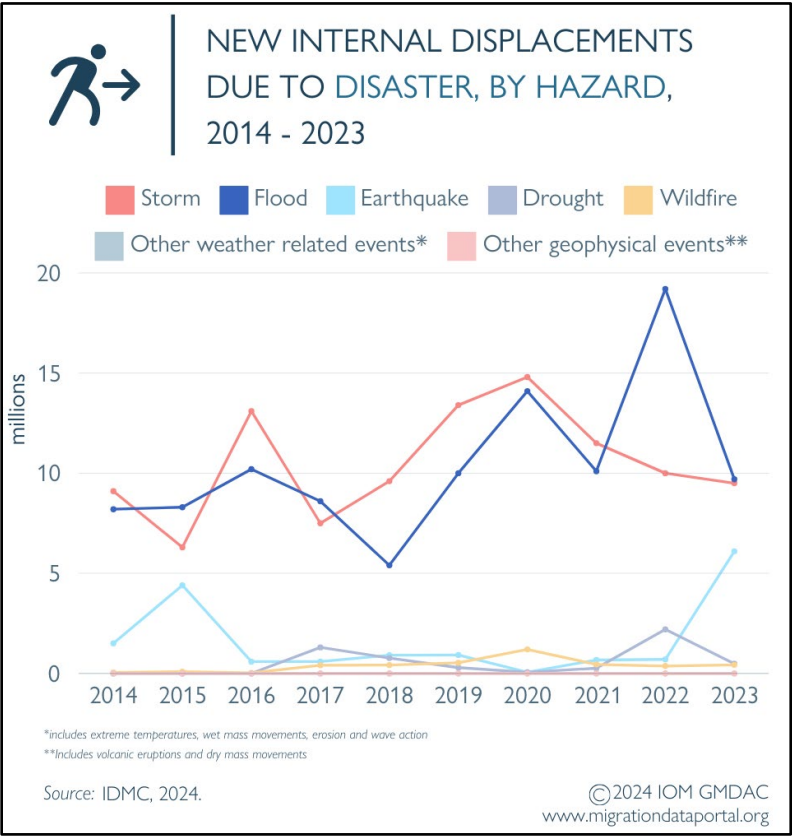


Figure 1: Internal Displacements categorized by hazards from 2014-2023.<sup>73</sup>

<sup>68</sup> Dina Ionesco, “Let’s Talk About Climate Migrants, Not Climate Refugees,” United Nations Sustainable Development, June 6, 2019, <https://www.un.org/sustainabledevelopment/blog/2019/06/lets-talk-about-climate-migrants-not-climate-refugees/>.

<sup>69</sup> Saverio Bellizzi, “The Health of Internally Displaced People (IDPs), Between Conflicts and the Increasing Role of Climate Change,” *Journal of Travel Medicine* 32, no. 1 (January 2025): article taee151, <https://doi.org/10.1093/jtm/taee151>.

<sup>70</sup> Sarah M. Munoz, “Environmental Mobility in a Polarized World: Questioning the Pertinence of the ‘Climate Refugee’ Label for Pacific Islanders,” *Journal of international migration and integration*, 2021, <https://pmc.ncbi.nlm.nih.gov/articles/PMC7802811/>.

<sup>71</sup> World Bank, “Millions on the Move in Their Own Countries: The Human Face of Climate Change,” feature story, September 13, 2021, World Bank, sec. “Story Highlights,” para. 1, <https://www.worldbank.org/en/news/feature/2021/09/13/millions-on-the-move-in-their-own-countries-the-human-face-of-climate-change>.

<sup>72</sup> “Which Countries Are Most Affected by Climate Change? | Oxfam,” December 2, 2025, <https://www.oxfamamerica.org/explore/issues/climate-action/which-countries-are-most-affected-by-climate-change/>.

<sup>73</sup> Migration Data Portal, “Environmental Migration,” <https://www.migrationdataportal.org/themes/environmental-migration>.

## Socioeconomic Challenges

The influx of climate migrants is often directed towards urban areas, which places immense pressure on housing, infrastructure and the city's social services. Predictions estimate that eight million will migrate to just ten cities by the year 2050 due to climate pressures.<sup>74</sup> Often, these urban areas are a cyclical trap with the advent of "secondary displacement": individuals who escape rural environmental degradation are met with uninhabitable conditions, unemployment, and marginalization from society, which sparks further internal or cross-border migration.<sup>75</sup> For example, the city of Dhaka, Bangladesh, receives almost 2,000 climate migrants each day, with the figure peaking to 4,000 during monsoons.<sup>76</sup> These people are escaping coastal and riverine areas that are prone to severe floods, high salinity, spurring agricultural collapse and land loss.<sup>77</sup> They arrive in the densely populated settlements such as Korail.<sup>78</sup> Here, they face overcrowding, poor or absent sanitation, and yet more flooding, which sums up to create living situations a mark lower than that of the rural areas left behind in some aspects.<sup>79</sup> Urban areas themselves are unguarded against climate impacts. For example, the urban heat island effect (concrete and buildings trapping heat) raises demands for cooling by up to 75 percent, which is a serious concern for the informal settlements climate migrants often find themselves in; vulnerabilities to heatwaves, flooding, and landslides are higher, and access to basic necessities like clean water is limited or at times non-existent.<sup>80</sup>

Climate-induced displacement further contributes to factors like agricultural collapse alongside droughts, floods and extreme temperatures in a cyclical process. In Somalia, 3.4 million people faced severe food insecurity during early 2025, which was projected to rise to 4.6 million by the end of 2025, including 1.8 million children under 5, following the devastation of more than 3.5 million livestock during 2021-2023.<sup>81</sup> Food shortages led to the uprooting of 3.9 million individuals.<sup>82</sup> Likewise, water scarcity, driven by droughts in Kenya, dried up 95 percent of water pans (large rectangular holes to harvest water runoff found in rural communities), sparking displacement to urban areas rife with their own water strains, where additional demands are likely to exacerbate unequal access.

<sup>83</sup>, <sup>84</sup>

---

<sup>74</sup> Mayors Migration Council, "Eight million climate migrants predicted to arrive in ten global south cities by 2050 if emissions don't fall" September 26, 2024, <https://www.c40.org/wp-content/uploads/2024/09/Climate-migration-release-Sept-2024.pdf>.

<sup>75</sup> Cao, Y., Hwang, S.-S., & Xi, J. (2012, April). Project-induced displacement, secondary stressors, and health. *Social science & medicine* (1982). <https://pmc.ncbi.nlm.nih.gov/articles/PMC3298608/>.

<sup>76</sup> Sadiqur Rahman, "How Bangladesh Is Supporting Climate Refugees," *BBC Future*, December 6, 2023, <https://www.bbc.com/future/article/20231206-how-bangladesh-is-supporting-climate-refugees>.

<sup>77</sup> DW Documentary, "*Climate Refugees in Bangladesh*," March 20, 2019, Youtube Video, 42:00, <https://www.youtube.com/watch?v=co5uywe-1Z8&t=6s>.

<sup>78</sup> Castellano, R., Dolsak, N. D., & Prakash, A. (2021, April 22). Willingness to help climate migrants: A survey experiment in the Korail slum of Dhaka, Bangladesh. *PLOS ONE*. <https://pmc.ncbi.nlm.nih.gov/articles/PMC8062004/pdf/pone.0249315.pdf>.

<sup>79</sup> Khan, M.M.H., Gruebner, O. & Krämer, A. Is area affected by flood or stagnant water independently associated with poorer health outcomes in urban slums of Dhaka and adjacent rural areas?. *Nat Hazards* 70, 549–565 (2014). <https://doi.org/10.1007/s11069-013-0829-1>.

<sup>80</sup> Satterthwaite, D., Archer, D., Colenbrander, S., Dodman, D., Hardoy, J., & Patel, S. (2018, March). Responding to climate change in cities and in their informal settlements and economies. <https://www.iied.org/sites/default/files/pdfs/migrate/G04328.pdf>.

<sup>81</sup> Gallardo, S. C. (2025, July 24). Somalia's journey of Hunger: World Food Programme. UN World Food Programme. <https://www.wfp.org/stories/somalias-journey-hunger>.

<sup>82</sup> Ibid.

<sup>83</sup> Establishment of water catchments. Rural Initiatives Development Programme (RIDEP). (n.d.). <https://ridepkenya.org/establishment-of-water-catchments/>.

<sup>84</sup> Gettel, G. M., Muhadia, C., Omuron, O., Leitner, S., Ericksen, P., & Butterbach-Bahl, K. (2022, December 15). Water pans as hot spots for methane emissions in arid and semi-arid regions of East Africa. *ADS*. <https://ui.adsabs.harvard.edu/abs/2022AGUFM.B43E..05G/abstract>.

## Dimensions of the Debate: Climate Change as a Driver of Displacement

The debate on climate-induced displacement centers around contesting views of cause and effect, ethical and legal responsibilities, and the right of a nation to sovereignty. Key controversies remain in whether and how climate migrants may be recognized under international law, and whether climate change compounds existing vulnerabilities or is a direct cause of migration.<sup>85</sup> For Small Island Developing States (SIDS) like Tuvalu, Kiribati and Marshall Islands, the causation is clear, with the rising sea levels directly corroborating existential threats.<sup>86</sup> However, for most regions globally, displacement is inherently tied to factors like poverty, resource scarcity, political instability, and environmental degradation.<sup>87</sup>

The position of the United Nations Human Rights Council (UNHRC), civil society organizations, and many scholars is divided when considering the expansion of the 1951 Refugee Convention.<sup>88</sup> The challenge is to determine if a new legal framework is needed or if the existing ones can be adapted. The UNHCR stands against the amending of the Convention to include environmental displacement, their concerns being that traditional refugees could find their protections weakened, or that it would be an unmanageable strain on the receiving countries.<sup>89</sup> In contrast, academic experts and advocates have brought forth evidence and data in favour of modifying the Convention to the realities of the 21st century.<sup>90</sup> They frequently cite how regional frameworks like the Cartagena Declaration and Kampala Convention show the viability of adapting to broader definitions for refugees to “events that seriously disturb public order,” which is a phrasing potentially relevant for climate disasters as well.<sup>91</sup>

Many governments in North America, Europe, and Oceania also frame climate-induced displacement as a national security threat, which spurs border tensions and public fears of mass migration.<sup>92</sup> A factor also compounded by the high predictions of future climate migrants. This *securitized* stance focuses on maintaining existing, or even strengthening, border enforcement and migration control, in the sense that climate migration control may also be a political weapon.<sup>93</sup> In contrast, critics say this focus on the dimension of post-disaster migration draws away from *preventative* measures tackling root causes like historical emissions and the lack of climate action by high-income states.<sup>94</sup> The strict regulations in place, coupled with the scenario that migration is frequently the only resort for victims of climate change, may lead to policies that criminalize migration.<sup>95</sup> Currently, evidence shows that climate migrants, facing a lack of resources, mostly migrate cross-border to

---

<sup>85</sup> Jane McAdam, “Climate Change, Forced Migration, and International Law,” *Oxford University Press*, 2012, 15–22.

<sup>86</sup> World Bank, “Millions on the Move in Their Own Countries: The Human Face of Climate Change,” September 13, 2021, <https://www.worldbank.org/en/news/feature/2021/09/13/millions-on-the-move-in-their-own-countries-the-human-face-of-climate-change>.

<sup>87</sup> IOM, “World Migration Report 2022,” Geneva, 2021, <https://worldmigrationreport.iom.int/msite/wmr-2024-interactive/>.

<sup>88</sup> United Nations Human Rights Council, “Report of the Special Rapporteur on the human rights of migrants,” A/HRC/34/58, 2017, 12–15.

<sup>89</sup> UNHCR, “How Climate Change Impacts Refugees and Displaced Communities,” USA for UNHCR, November 12, 2024, <https://www.unrefugees.org/news/how-climate-change-impacts-refugees-and-displaced-communities/>.

<sup>90</sup> Walter Kälin and Jan Klingeböck, “Protecting People Displaced by Climate Change: Principles of Protection under International Law,” *Brookings Institution*, 2014, 8–10.

<sup>91</sup> Cartagena Declaration on Refugees, 1984, Article III; African Union, “Kampala Convention,” 2009, Article 1(2).

<sup>92</sup> Miracle Tapia, “Migrant Justice Is Climate Justice: Dangers of Securitized Migration Narratives,” *Human Rights Research* (blog), September 9, 2025, <https://www.humanrightsresearch.org/post/migrant-justice-is-climate-justice-dangers-of-securitized-migration-narratives>.

<sup>93</sup> Ibid.

<sup>94</sup> Ibid.

<sup>95</sup> Tapia, “Dangers of Securitized Migration.”

directly neighbouring countries or internally, not from the Global South to the Global North.<sup>96</sup> Yet these narratives built on state security persist, drawing from future projections and estimates and leading to much contention with contrasting agendas.

### International Initiatives for Protection

The intensifying impacts of climate-induced displacement are evident, yet global frameworks targeting protection are ill-equipped to manage the projected number of climate migrants. Currently, the most legally binding framework is the Kampala Convention of 2009, otherwise known as the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa.<sup>97</sup> It requires the signatory states to come to the aid of internally displaced persons who are affected by natural disasters and climate change. However, as of September 2024, while thirty-four of the fifty-five African Union States have ratified the treaty, only three (Niger, Chad, and Honduras) have integrated it into their national law.<sup>98</sup> In Niger, this integration allows the government to coordinate multiple agencies responsible for disaster relief, further including IDPs in policies; across Africa, however, insufficient budgets, poor donor support and political instability result in legal obligations with minimal protection on the ground.<sup>99</sup>

Internationally, the Fund for Responding to Loss and Damage (FRLD) was created at COP28 in December 2023, and it is one of the latest global financial mechanisms positioned to address the climate impacts in vulnerable nations.<sup>100</sup> The FRLD received USD 768 million initially in pledges, with an approval for USD 250 million for its start-up, and at least 50 percent was allocated to Least Developed Countries and SIDS.<sup>101</sup> These funds are crucial in helping such nations recover from climate-induced losses and damages in their economies and beyond. However, the most vulnerable regions still face blockades from the complex bureaucratic processes, and as of October 2025, the framework mirrors historical frameworks liable for the deterrence of Least Developed Countries in receiving financial support due to accessibility issues.<sup>102</sup> SIDS have also reported that proposals are slow to receive approval and demand for the institution.<sup>103</sup> Meanwhile, developed nations favour resources being processed through multilateral development banks (MDBs) serving as a third-party instead of granting direct national access to funds, thereby granting accountability and leverage.<sup>104</sup>

---

<sup>96</sup> Kristy Siegfried, “Climate Change and Displacement: The Myths and the Facts,” *UNHCR*, November 15, 2023, <https://www.unhcr.org/news/stories/climate-change-and-displacement-myths-and-facts>.

<sup>97</sup> Global Protection Cluster, *Cross-Regional Forum 24: Summary Note on Implementing Laws and Policies on Internal Displacement in Africa, 18–20 September 2024, Dakar* (2025), 5, [https://globalprotectioncluster.org/sites/default/files/2025-01/cross\\_regional\\_forum\\_24\\_-\\_eng.pdf](https://globalprotectioncluster.org/sites/default/files/2025-01/cross_regional_forum_24_-_eng.pdf).

<sup>98</sup> African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention) | African Union, October 29, 2025, <https://au.int/en/treaties/african-union-convention-protection-and-assistance-internally-displaced-persons-africa>.

<sup>99</sup> Samir Shehu Danhassan et al., “Flood Policy and Governance: A Pathway for Policy Coherence in Nigeria,” *Sustainability* 15, no. 3 (2023): 2392, <https://www.mdpi.com/2071-1050/15/3/2392>.

<sup>100</sup> UNFCCC, “Fund for Responding to Loss and Damage,” *UNFCCC*, <https://unfccc.int/fund-for-responding-to-loss-and-damage>.

<sup>101</sup> UNFCCC, “Pledges to the Fund for Responding to Loss and Damage,” *UNFCCC*, <https://unfccc.int/event/pledges-to-the-fund-for-responding-to-loss-and-damage>.

<sup>102</sup> Lidy Nacpil, “We Cannot Accept Another Slow, Bureaucratic Climate Fund,” *Down To Earth*, November 16, 2025, <https://www.downtoearth.org.in/climate-change/we-cannot-accept-another-slow-bureaucratic-climate-fund>.

<sup>103</sup> Global Affairs Canada, *Improving Development Impact in Small Island Developing States: Implementing Effectiveness Principles*, (Gatineau, QC: Global Affairs Canada, 2022), 7, [https://www.international.gc.ca/world-monde/assets/pdfs/issues\\_development-enjeux\\_developpement/priorities-priorites/SIDS-PEID-eng.pdf](https://www.international.gc.ca/world-monde/assets/pdfs/issues_development-enjeux_developpement/priorities-priorites/SIDS-PEID-eng.pdf).

<sup>104</sup> Carolyn Neunuebel, Gauri Atre, and Valerie Laxton, “National Development Banks Can Do More to Help Drive Countries’ Green Transformations,” World Resources Institute, April 11, 2025, <https://www.wri.org/insights/national-development-banks-climate-finance>.

## Possible Solutions and Controversies

To address the issue of climate displacement in its entirety, a multi-pronged approach, combining legal, humanitarian, and developmental issues in both the short and long term, is required. In the following sub-sections, the possible solution frameworks as well as their viability are outlined.

### Expanding Legal Protections and Frameworks

The first and foremost long-term approach is to update the 1951 Refugee Convention to include climate-related displacements as valid grounds for refugee status.<sup>105</sup> This solution would include established international policies and enforcement mechanisms that are built on the existing legal framework for refugees.<sup>106</sup> In that sense, years' worth of existing infrastructure would be directly consistent with international law. However, it would also be legally complex, and adapting the Convention, which is rooted in persecution-based displacement, would prove an arduous task, especially when trying to gather political support.<sup>107</sup> Further, states are also unlikely to renegotiate the Refugee Convention based on grounds of fear, protection of state sovereignty, immigration policies and border control.<sup>108</sup> It is also worth noting that the UNHCR does not directly support this route as well, which adds to the resistance against this solution.<sup>109</sup>

An alternative approach would be to create an entirely new international agreement that would address the specific context climate migrants find themselves in.<sup>110</sup> In April 2023, the UN Special Rapporteur on promotion and protection of human rights in the context of climate change mentioned that there is a need for a legal regime to protect people displaced due to climate change, supporting the urgency of both approaches.<sup>111</sup> Such an approach would allow the creation of a new framework that, while being consistent with the needs of climate migrants, also faces less resistance from states concerned about overburdening the current refugee system.<sup>112</sup> However, coming to a consensus on an entirely new agreement would require time and negotiation; it also creates a new category for international law, which could be fragmented from existing international standards.<sup>113</sup> For this pathway to succeed, countries will need to cooperate, and major polluting countries contributing to climate change will need to be willing to extend assistance. It is further suggested to establish a new protocol extending the current Convention relating to the Status of Refugees to give protection to displaced people, and that it be administered by the UNHRC.<sup>114</sup>

---

<sup>105</sup> Ryan Plano, "UNHCR Official: 'Good Case to Be Made' for Climate Refugees Protocol," *Climate Refugees*, November 2, 2023, <https://www.climate-refugees.org/spotlight/2023/11/2/unhcr-climate-refugees>.

<sup>106</sup> Ibid.

<sup>107</sup> Ibid.

<sup>108</sup> Marilyn Tremblay and Marie-Ève St-Onge Trudel, *The climate-induced migration : What protection for displaced people?*, n.d., [https://cgscholar.com/bookstore/works/the-climateinduced-migration?category\\_id=cgrn](https://cgscholar.com/bookstore/works/the-climateinduced-migration?category_id=cgrn).

<sup>109</sup> Ibid.

<sup>110</sup> Philippe A. Gagnon and Alexia Lagacé-Roy, *Climate Change and Migration: The State of International Refugee and Human Rights Law*, Library of Parliament, Publication No. 2024-02-E (Ottawa: Parliament of Canada, November 25, 2024), 5, [https://lop.parl.ca/sites/PublicWebsite/default/en\\_CA/ResearchPublications/202402E](https://lop.parl.ca/sites/PublicWebsite/default/en_CA/ResearchPublications/202402E).

<sup>111</sup> Ibid.

<sup>112</sup> Ibid.

<sup>113</sup> Simon Behrman and Avidan Kent, eds., *Climate Refugees: Beyond the Legal Impasse* (New York: Routledge, 2018).

<sup>114</sup> United Nations Human Rights Office of the High Commissioner A/HRC/53/34: Providing legal options to protect the human rights of persons displaced across international borders due to climate change | Ohchr, n.d., <https://www.ohchr.org/en/documents/thematic-reports/ahrc5334-providing-legal-options-protect-human-rights-persons-displaced>.

## Adaptation, Resilience, and Sustainable Development

To turn climate-induced migration into a benefit, policies can be made to create “circular migration” schemes, allowing people from environmentally vulnerable areas to work temporarily in countries with demand for their skills, offering the double benefit of filling job shortages and allowing migrants to send back money home to build resilience in the home communities.<sup>115</sup> For example, in Eastern Africa, the Intergovernmental Authority on Development (IGAD) has a free movement protocol that allows those displaced by disasters to enter other Member States and to remain in said states if returning is not a possibility.<sup>116</sup> Similarly, Kiribati, a SIDS in the Pacific, has bought land in Fiji as it plans to relocate the entire population due to rising sea levels.<sup>117</sup> These types of solutions aim to streamline the fundamental process of climate migration, allowing people to remain in their homes as long as possible, or ensuring that if they have to move, there is a benefit to both the communities.<sup>118</sup> This is less disruptive than forced migration; however, it requires funds, expertise, and a long-term commitment from the participating governments and the international community.<sup>119</sup> An additional downside to this approach is that not all climate impacts are avoidable, and displacement that is bound to happen due to sudden-onset disasters will need to be addressed in vulnerable locations.

Climate change will result in the mass displacement of people, but it can also offer opportunities to build resilient infrastructure that can reduce the scale of necessary movement. Ways to approach this would be strengthening the communities at risk to be better prepared for the climate-induced changes through investments in improved infrastructure, sustainable farming, early warning systems for disasters, and planned public facilities to accept new arrivals.<sup>120</sup> The UNHCR is already working on advocating with governments to include forcibly displaced people in policies and plans on climate adaptation, disaster risk reduction and management.<sup>121</sup> It also works with displaced people to preserve and rehabilitate the environment.<sup>122</sup> There are numerous examples where governments have worked to build resilience in the communities to prevent climate-induced displacement.<sup>123</sup> In China, the government’s South-to-North Water Diversion Project is a massive engineering project to address severe water shortages, exacerbated by climate change, in the country’s north to support agriculture, livelihoods, and industry for millions of people.<sup>124</sup> However, there is always a caveat to these initiatives, as such development projects have also led to the forced relocation of over 300,000 people to make way for canals and reservoirs, highlighting the complex and often controversial nature of large-scale adaptation projects.<sup>125</sup> This case reveals

---

<sup>115</sup> Richard Black et al., “Migration as Adaptation,” *Nature News*, October 20, 2011, <https://www.nature.com/articles/478477a>.

<sup>116</sup> Teya Wood, “The role of free movement agreements in addressing climate displacement,” *Forced Migration Review*, March 24, 2025; “IGAD Free Movement Protocol: Allows for innovative solutions,” *PreventionWeb*, March 1, 2020.

<sup>117</sup> Laurence Caramel, “Besieged by the Rising Tides of Climate Change, Kiribati Buys Land in Fiji,” *The Guardian*, July 1, 2014, <https://www.theguardian.com/environment/2014/jul/01/kiribati-climate-change-fiji-vanua-levu>.

<sup>118</sup> Wood, “Addressing Climate Displacement.”

<sup>119</sup> “IGAD Free Movement Protocol: Allows for innovative solutions,” *PreventionWeb*, March 1, 2020; Hermann, Emily, “Emerging Discourses on Kiribati’s Land Purchase in Fiji,” *Journal of the Polynesian Society*, 2017.

<sup>120</sup> UNHCR, “Strengthening Climate Adaptation,” n.d., <https://www.unhcr.org/what-we-do/build-better-futures/climate-change-and-displacement/strengthening-climate-adaptation>.

<sup>121</sup> UNHCR, “Strengthening Climate Adaptation.”

<sup>122</sup> Ibid.

<sup>123</sup> Refugees International, “At a Climate Change Crossroads: How a Biden-Harris Administration Can Support Displaced People in a Warming World,” April 17, 2023, <https://www.refugeesinternational.org/reports-briefs/at-a-climate-change-crossroads-how-a-biden-harris-administration-can-support-and-protect-communities-displaced-by-climate-change/>.

<sup>124</sup> Jia, Yi, Linus Zhang, Jianzhi Niu, and Ronny Berndtsson. “China’s South-to-North Water Diversion Project: A Review and Reach beyond China’s Borders.” MDPI, November 16, 2025. <https://www.mdpi.com/2073-4441/17/22/3275/>.

<sup>125</sup> Ferris, Elizabeth. “Climate Change and Community Relocation.” Edward P. Djerejian Center for the Middle East | Women’s Rights, Human Rights, and Refugees, December 17, 2024. <https://www.bakerinstitute.org/research/climate-change-and-community-relocation>.

how adaptation projects targeting future displacement can trigger involuntary relocation for the marginalized populations whose voices are often excluded from the planning process.<sup>126</sup>

National adaptation infrastructure, while essential, may not be entirely rights-respecting or accessible to all states. Wealthy countries that have the capacity to build advanced engineering systems (like the Netherlands, which has developed powders, storm barriers, and dams) are able to guard against displacement using advanced technologies. However, the resources required for replicating such systems would be out of reach for most developing countries facing dangerous climate conditions. A potential solution could be through more equitable technology transfer or financing for adaptation initiatives in less developed nations.<sup>127</sup> Further, large-scale projects often risk building on or creating inequalities, especially if they offer additional protections to urban centers while rural or marginalized populations are forced to relocate. SOCHUM, therefore, would be tasked with ensuring adaptation policies are developed around human rights, prioritizing the most vulnerable, displaced populations in decision-making. Delegates should consider how international norms can be considered to reduce forced displacement and guide national adaptation projects.

## Regional and Bilateral Cooperation

The UNHCR stipulates that it is the responsibility of regional forums or individual states to prevent displacement and, if unavoidable, to protect and find sustainable solutions for the displaced persons.<sup>128</sup> The responsibility of defining and managing climate migrants is therefore a regional issue as well as a global one.

Several regional frameworks exist that provide a broader definition of a refugee, but there are several shortcomings in terms of reach and effectiveness. Two regional instruments are the 1969 Organization of African Unity (OAU) Convention (1969) and the Cartagena Declaration (1984), which expand protection to include those who are affected by “events seriously disturbing public order.” This terminology does not provide specific mention of fleeing due to climate change or environmental disasters, but may be applied to such cases on an individual basis.<sup>129, 130</sup> The Kampala Convention similarly adds “natural or human-made disasters, including climate change” as grounds for asylum.<sup>131</sup> The IGAD in Eastern Africa and the Arab Convention on Regulating Status of Refugees offer protection at the regional level as well, and frameworks like the Pacific Regional Framework on Climate Mobility are in discussion.<sup>132</sup>

---

<sup>126</sup> Ibid.

<sup>127</sup> Katharina Schmidt, “Technology Transfer for Climate Change Adaptation | International Institute for Sustainable Development,” accessed November 29, 2025, <https://www.iisd.org/publications/report/technology-transfer-climate-change-adaptation>.

<sup>128</sup> Frances Nicholson and Judith Kumin, “A guide to international refugee protection and building state asylum systems,” Inter-Parliamentary Union and the United Nations High Commissioner for Refugees, Handbook for Parliamentarians no. 27, 2017, <https://www.refworld.org/pdfid/5a9d57554.pdf>.

<sup>129</sup> OAU Convention Governing the Specific Aspects of Refugee Problems in Africa, adopted by the Assembly of Heads of State and Government at its Sixth Ordinary Session, Addis-Ababa, 10 September 1969, <https://www.unhcr.org/media/oau-convention-governing-specific-aspects-refugee-problems-africa-adopted-assembly-heads>.

<sup>130</sup> Cartagena Declaration on Refugees, Colloquium on the International Protection of Refugees in Central America, Mexico and Panama November 22, 1984, 36, <https://www.unhcr.org/media/cartagena-declaration-refugees-adopted-colloquium-international-protection-refugees-central>.

<sup>131</sup> African Union, African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention), adopted by the Special Summit of the Union Kampala, Uganda 23rd October 2009, 13, <https://au.int/en/treaties/african-union-convention-protection-and-assistance-internally-displaced-persons-africa>.

<sup>132</sup> IGAD (Intergovernmental Authority on Development), “Protocol on Free Movement of Persons in the IGAD Region,” February 26, 2020, Khartoum, Sudan, 2, 11, <https://bit.ly/3rLtOnd>.

These regional agreements are tailored to local needs and can be more easily formulated than a worldwide framework. However, they are only as strong as their level of funding, enforcement, and regional participation. They require the effective involvement of all regional countries for the coordination of cross-border relocation, protection, and resource sharing. If they lack the funding or the participation of all states, or if the rules are not enforced, they can be rather weak and tend to be only short-term solutions. For SOCHUM, the takeaway is not to debate the technical details or focus on region-specific language; rather, regional cooperation must be encouraged on an international stage through a rights-driven framework and appropriate supporting mechanisms. Delegates should focus on putting forth general principles for more specific, specialized agreements and emphasize equitable collaboration.

### **Humanitarian Visas and Temporary Protection**

As a short-term solution, some countries have tried implementing humanitarian visas or have provided temporary protection to people displaced due to climate change effects or natural disasters.<sup>133</sup> In France, for instance, a Bangladeshi citizen was allowed to stay as the air pollution in his home country would put him at real risk of death, as his respiratory disease health requirements were available in France and not in his home country.<sup>134</sup> This decision by a Bordeaux Court, while specific to his health needs, is significant as it considers environmental exposure as a factor for protection, and is seen as an important legal precedent for future climate-induced displacement cases. Argentina has also issued special humanitarian visas to those from Central America, Mexico and the Caribbean who are fleeing natural disasters, which are often exacerbated by social issues, while the U.S. allocates Temporary Protection Statuses for those who cannot safely return home and are already present in the country.<sup>135</sup>

Humanitarian visas offer rapid relief for climate migrants, but are short-term and would not provide lasting solutions.<sup>136</sup> They tend to be temporary because most national policies limit humanitarian protection based on renewals and short stays, with eligibility being regulated strictly and immediate risk requiring proof. Governments may prefer such visas because they can be flexible and discretionary, and no permanent legal obligations would be required. The limitations of humanitarian visas and temporary protection frameworks are that they do not necessarily address direct drivers of climate migration, nor the long-term integration of migrants. Nations rarely expand access beyond immediate humanitarian crises, while the lived realities in certain regions could necessitate an alternate response. The key would be to recognize that while humanitarian visas and temporary protection may prevent refoulement and immediate harm, changing them to more durable models, and coupling them with migration integration systems (such as labour, family, or education-based programs) would provide greater security and dignity for climate migrants.

---

<sup>133</sup> Rahul Balasundaram, Amali Tower &#38; Ryan Plano, and Amali Tower, “International Law - Spotlight,” Climate Refugees, July 17, 2023, <https://www.climate-refugees.org/spotlight/tag/International+Law>.

<sup>134</sup> Ibid.

<sup>135</sup> Erol Yayboke, Trevor Houser, Janina Staguhn, and Tani Salma, “A New Framework for U.S. Leadership on Climate Migration,” Center for Strategic and International Studies, October 23, 2020, <https://www.csis.org/analysis/new-framework-us-leadership-climate-migration>.

<sup>136</sup> Richard Black, Stephen R. G. Bennett, Sandy M. Thomas, and John R. Beddington, “Migration as Adaptation,” *Nature* 478 (2011): 447–449, <https://www.nature.com/articles/478477a>.



### Small Island Developing States (SIDS)

Small Island Developing States (SIDS) are a distinct group of nations, including Fiji, the Bahamas, the Marshall Islands, Samoa, Tuvalu, and Kiribati. Some other countries, like Belize, Guinea-Bissau, Guyana, and Suriname, are also included due to the common characteristics of remoteness, dependence on ocean resources, reliance on imports for survival, and vulnerability to climate change. They are facing an existential threat of total land loss due to sea level rise and extreme weather events, which are more frequent and intense due to climate change impacts.<sup>137</sup> These island states are on the frontline of the climate crisis and also its solutions.<sup>138</sup> Historically, they have driven important milestones in climate negotiations. Together with the group of Least Developed Countries (LDCs), they steered loss and damage discussions and the establishment of a loss and damage fund at COP27.<sup>139</sup> They successfully argued to keep the 1.5 degrees Celsius target at the Paris Agreement.<sup>140</sup> They advocate for climate justice, arguing that they are suffering the most severe repercussions for a crisis they did not create, and they encourage investment in renewable energy to achieve energy security.<sup>141</sup>

The Climate Vulnerable Forum, a partnership of countries at risk to global warming, often represents their shared interests. Through this forum, they call for explicit recognition of cross-border movement as a climate adaptation method.<sup>142</sup> SIDS highlight how “climate refugees” are also victims of inadequate legal protection while having minimal carbon emissions themselves. Their calls for cultural and legal safeguards are rooted in their experiences where displacement has threatened language, heritage and citizenship.<sup>143</sup> For example, the Pacific’s Rising Nations Initiative seeks to preserve citizenship in the case of land loss, emphasizing the rights to nationality.<sup>144</sup> SIDS would demand climate finance, such as through adaptation funds, which would be used to support relocation, protection, and livelihoods. In terms of migration legislation, they would typically model human rights-focused approaches that resist the securitization of climate migration.<sup>145</sup> Many have implemented internal relocation plans, often including entire islands or villages, and urge the same at the intergovernmental level. They

---

<sup>137</sup> “Small Island Developing States Are on the Frontlines of Climate Change – Here’s Why,” UNDP Climate Promise, August 7, 2025, <https://climatepromise.undp.org/news-and-stories/small-island-developing-states-are-frontlines-climate-change-heres-why#:>.

<sup>138</sup> Ibid.

<sup>139</sup> “Adaptation Fund, and Fund for Responding to Loss and Damage Agree to Framework of Collaboration to Help Vulnerable Countries Address Climate Change - Adaptation Fund,” Adaptation Fund, February 3, 2025, <https://www.adaptation-fund.org/adaptation-fund-and-fund-for-responding-to-loss-and-damage-agree-to-framework-of-collaboration-to-help-vulnerable-countries-address-climate-change/>.

<sup>140</sup> United Nations Development Programme, *Small Island Developing States Are on the Frontlines of Climate Change* (UNDP), <https://climatepromise.undp.org/news-and-stories/small-island-developing-states-are-frontlines-climate-change-heres-why>.

<sup>141</sup> International Renewable Energy Agency, “With One Voice, Small Island Developing States Build Bridges for a Sustainable Energy Future,” IRENA, April 2024, <https://www.irena.org/News/expertinsights/2024/Apr/With-One-Voice-Small-Island-Developing-States-Build-Bridges-for-a-Sustainable-Energy-Future>.

<sup>142</sup> “Global South Leading the Way Via Climate Vulnerable Forum,” Climate Refugees, May 9, 2022, <https://www.climate-refugees.org/spotlight/2022/5/10>.

<sup>143</sup> “Rising Nations Initiative,” Global Centre for Climate Mobility, November 2, 2023, <https://climatemobility.org/initiatives/rising-nations/>.

<sup>144</sup> “The Rising Nations Initiative | Department of Economic and Social Affairs.” United Nations, n.d. <https://sdgs.un.org/partnerships/rising-nations-initiative/>.

<sup>145</sup> Gagnon, Jason, and Jens Hesemann. Addressing forced displacement in climate change ..., n.d. [https://www.oecd.org/content/dam/oecd/en/publications/reports/2023/10/addressing-forced-displacement-in-climate-change-adaptation\\_fb566da6/891ced36-en.pdf](https://www.oecd.org/content/dam/oecd/en/publications/reports/2023/10/addressing-forced-displacement-in-climate-change-adaptation_fb566da6/891ced36-en.pdf).

stress moral mandates to change the global climate migration policies, as their advocacy is anchored in urgency for their dire situation.

### **Landlocked and Low-Lying Developing Countries (LLDCs)**

This bloc includes 32 landlocked nations spanning over four regions—Africa (16 LLDCs), Asia (10 LLDCs), Europe (4 LLDCs), and Latin America (2 LLDCs), including countries like Bangladesh, Somalia, Sudan, Mali, and Bolivia, which are highly susceptible to climate-induced displacement from slow-onset events like drought, desertification, land degradation, and heat stress. They are located in internal drylands and mountainous regions covering only 12 percent of the world’s land surface, but they suffer almost 20 percent of the world’s landslides, flash floods, and droughts.<sup>146</sup> These countries rely heavily on complex transit routes, agriculture, and hydropower, making them highly vulnerable to climate-induced geographical changes.

This bloc's position is also centred around climate justice and partnership as landlocked and low-lying developing nations face greater exposure to climate disasters, limited access to outside markets, barriers while trying to address IDPs with internal resources alone.<sup>147</sup> They seek recognition as a vulnerable group under the UNFCCC to make sure their unique needs are addressed in global climate negotiations and funding allocations. Their advocacy for access to climate finance and focus on seeking international help to manage IDPs is driven by challenges in directing national investments and responses to severe drought, flooding or food insecurity.<sup>148</sup> The Awaza Programme of Action for LLDC for the Decade 2024-2034, a key framework for this bloc, outlines the actions and support needed by these countries, such as capacity building, access to resources and partnership routes.<sup>149</sup>

### **Global South (Major Developing Economies)**

Developing nations have a lot of countries from the Global South, such as Bhutan, Uruguay and Turkey, and a mix of economies from Asia, Africa, and Latin America, such as China, India, Brazil, Mexico, Indonesia, and South Africa. Together, in 2023, they called for an increase in climate financing and technology sharing at COP28, also advocating for equitable international support as their countries responded to climate-induced damage and sought to implement adaptation strategies. They would also typically call for more financial, logistical and technical support from richer states to address internal and cross-border climate displacement.<sup>150</sup> One way they would do this is by planned relocation or investing in infrastructure.<sup>151</sup> These states would stress that the climate crisis is exacerbating their development gaps, while climate-induced migration already affects millions.<sup>152</sup> The

---

<sup>146</sup> “Climate Vulnerabilities of Landlocked Developing Countries | Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States,” United Nations, n.d., <https://www.un.org/ohrrls/news/climate-vulnerabilities-lllcs>.

<sup>147</sup> Ibid.

<sup>148</sup> Ibid.

<sup>149</sup> United Nations, “Awaza Programme of Action for LLDCs 2024-2034,” *UN – Landlocked Developing Countries*, <https://www.un.org/en/landlocked/awaza-programme-action-lllcs>.

<sup>150</sup> Task Force on Displacement, *Report of the Task Force on Displacement*, UNFCCC, 2018, [https://unfccc.int/sites/default/files/resource/2018\\_TFD\\_report\\_17\\_Sep.pdf](https://unfccc.int/sites/default/files/resource/2018_TFD_report_17_Sep.pdf)

<sup>151</sup> Ibid.

<sup>152</sup> Ibid.

Global Compact for Migration does, in fact, recognize these links; however, it lacks an enforceable commitment.<sup>153</sup>

These blocs are therefore advised to advocate for stronger integration of the issue of climate migrants into Nationally Determined Contributions (NDC), or the plans that each country makes for handling climate change-related issues under the Paris Agreement, as well as more alignment with developmental assistance.<sup>154</sup> They would hold wealthier states to meet the USD 100 billion climate finance goal to make migration a viable pathway.<sup>155</sup> They would not be in favour of border securitization, like offshore deterrence or third-country interdictions; rather, they would push for a global agreement on handling climate migration, with immediate protection as well as long-term considerations.

### Developed Nations (OECD Countries)

The Developed Nations bloc, primarily composed of Organization for Economic Co-operation and Development (OECD) countries such as the United States, Canada, Germany, Japan, Australia, and the United Kingdom, holds a distinct and cautious stance on climate-induced migration. While the majority of these countries recognize climate change as a serious problem, this does not necessarily translate into support for costly domestic policies or immigration reforms. They would acknowledge climate migration as a future concern, especially considering their potential status as destination countries, and typically hold border integrity as vital.<sup>156</sup> Many would avoid extending the refugee status to climate-displaced persons under the 1951 Refugee Convention, as they would be wary of backlash and a weakening legal status for refugees. Instead, their policies would be focused on temporary protection, humanitarian visas or relocation programs rather than treaty reforms.<sup>157</sup> They would advocate that climate migration should be addressed primarily through climate mitigation and not asylum access.<sup>158</sup> For example, the legislative Climate Displaced Persons Act in the United States, which would define and establish a visa program for climate-displaced persons, remains stalled and controversial nationally.<sup>159</sup> From a legal perspective, such states would often rely on outsourcing border controls to transit countries over concerns for irregular entry.<sup>160</sup> Moreover, their concerns would be domestic and legal constraints, and they value state sovereignty over admission rights.

Nevertheless, OECD nations have a crucial role to play in financing or supporting other countries in the response to climate migrants, considering their relative wealth and development. For example, at COP28, European Union member states and other OECD nations contributed significantly to the USD 700 million for the Loss and

---

<sup>153</sup> Mitota P. Omolere, "What Is Climate Migration and How Is the World Addressing It?" Earth.Org, January 27, 2025, <https://earth.org/climate-migration-a-multidimensional-challenge-requiring-global-action/>.

<sup>154</sup> "Nationally Determined Contributions (NDCs) The Paris Agreement and NDCs." Unfccc.int, n.d. <https://unfccc.int/process-and-meetings/the-paris-agreement/nationally-determined-contributions-ndcs>.

<sup>155</sup> United Nations Framework Convention on Climate Change (UNFCCC), "Report on the \$100 Billion Climate Finance Goal," November 2022, [https://unfccc.int/sites/default/files/resource/J0156\\_UNFCCC%20100BN%202022%20Report\\_Book\\_v3.2.pdf](https://unfccc.int/sites/default/files/resource/J0156_UNFCCC%20100BN%202022%20Report_Book_v3.2.pdf).

<sup>156</sup> McAdam, "Climate Change and International Law."

<sup>157</sup> Walter Kälin and Nina Schrepfer, "Protecting People Crossing Borders in the Context of Climate Change Normative Gaps and Possible Approaches." Refworld, February 1, 2012. <https://www.refworld.org/reference/lpprs/unhcr/2012/en/85058>.

<sup>158</sup> Antoine Dechezleprêtre et al., Fighting climate change: International attitudes toward ..., n.d., [https://www.oecd.org/content/dam/oecd/en/publications/reports/2022/07/fighting-climate-change-international-attitudes-toward-climate-policies\\_bc2cd20f/3406f29a-en.pdf](https://www.oecd.org/content/dam/oecd/en/publications/reports/2022/07/fighting-climate-change-international-attitudes-toward-climate-policies_bc2cd20f/3406f29a-en.pdf).

<sup>159</sup> Congress, "Text - S.3340 - 118th Congress (2023-2024): Climate Displaced Persons Act." November 15, 2023. <https://www.congress.gov/bill/118th-congress/senate-bill/3340>.

<sup>160</sup> McAdam, "Climate Migration and International Law."

Damage Fund in assistance of vulnerable nations who face environmental threats.<sup>161</sup> They would support finance goals, but would call for their use in climate mitigation mechanisms, rather than legal innovations. Moreover, they would advocate for developing more sophisticated relocation plans and data or technology sharing methods through platforms such as the Warsaw International Mechanism to better understand and manage migration flows without committing to new legal obligations.<sup>162</sup>

## Oil and Gas Exporting Countries

This bloc includes key members of the Organization of the Petroleum Exporting Countries (OPEC), such as Saudi Arabia, the United Arab Emirates, and Kuwait, as well as major producers like Russia and Qatar. Their approach to solutions is conservative, and they would rather prioritize energy security and economic stability over binding emission reductions for climate control. They view net-zero emissions targets as unrealistic and detached from reality, stating that a rapid phase-out of fossil fuels would be a disaster for their economies and for global energy security.<sup>163, 164</sup>

These countries would want to focus on reducing emissions from fossil fuel production and use, rather than phasing out the fuels themselves. They feel energy access is crucial for development, and see their fossil fuels as essential for removing energy poverty in developing nations.<sup>165</sup> They would support giving through OPEC funds for resilience measures to fight the effects of climate change and help countries build resilience.<sup>166</sup> These actions, however, may be a way to manage fossil fuel emissions without addressing the root cause. They would strongly oppose any move to restrict the production or export of fossil fuels. Their position is based on the premise that international agreements regarding climate migrants should not penalize countries for exporting resources that other nations need for their development.<sup>167</sup>

## Discussion Questions

1. Should international law redefine “refugee” to include climate-displaced persons? If not, what alternative legal protections can be offered?
2. To what extent should there be an open-border policy regarding climate-induced movement? How can the international community prepare for such a movement as it increases in the future?

---

<sup>161</sup> Martina Igini, “Loss and Damage Fund Contributions at COP28 So Far Cover Less Than 0.2% of Climate-Related Losses in Developing Countries,” *Earth.Org*, December 8, 2023, <https://earth.org/loss-and-damage-fund-contributions-at-cop28-so-far-cover-less-than-0-2-of-climate-related-losses-in-developing-countries/>

<sup>162</sup> UNFCCC, “Warsaw International Mechanism for Loss and Damage Associated with Climate Change Impacts,” United Nations Framework Convention on Climate Change, 2023, <https://unfccc.int/topics/adaptation-and-resilience/workstreams/loss-and-damage/warsaw-international-mechanism>.

<sup>163</sup> “OPEC Boss Slams Net-Zero Targets, Promotes Big Future for Oil in Calgary Speech,” CBC News, CBCnews, June 10, 2025, <https://www.cbc.ca/news/canada/calgary/opec-boss-slams-net-zero-targets-promotes-big-future-for-oil-in-calgary-speech-1.7557414#>.

<sup>164</sup> “OPEC Rails against Fossil Fuel Phase-out at COP28 in Leaked Letters,” The Guardian, December 8, 2023, <https://www.theguardian.com/environment/2023/dec/08/opec-rails-against-fossil-fuel-phase-out-at-cop28-in-leaked-letters#>.

<sup>165</sup> “OPEC Digital Publications - World Oil Outlook,” OPEC Website, n.d., <https://publications.opec.org/woo>.

<sup>166</sup> Corbin Hiar, “OPEC Charity Gives Millions to Protect Nations from Climate Damage,” E&#38;E News by POLITICO, April 1, 2025, <https://www.eenews.net/articles/opec-charity-gives-millions-to-protect-nations-from-climate-damage/>.

<sup>167</sup> United Nations Framework Convention on Climate Change (UNFCCC), Report of the Conference of the Parties on Its Twenty-Seventh Session (Sharm El-Sheikh: UNFCCC, 2022), 41, <https://unfccc.int/documents/626560>.

3. What global mechanisms can ensure fair burden-sharing for hosting and aiding climate migrants, especially considering historical emissions and climate impacts?
4. How can we ensure that internally displaced persons, who do not cross international borders, are also protected? What of those who do not have the capacity or resources to move?
5. What ethical, cultural, and practical considerations arise from planned relocation strategies? How can the UN aid communities in protecting their traditions and culture in the face of relocation?
6. How can the regional and economic differences in national responses and capabilities be considered in international frameworks?

## Bibliography

African Climate Wire. “Climate-Induced Migration in Africa: How Can the Law Enable Free Movement?”

African Climate Wire, March 2025. <https://africanclimatewire.org/2025/03/climate-induced-migration-in-africa-how-can-the-law-enable-free-movement/>.

“Agenda for the Protection of Cross-Border Displaced Persons in the Context of Disasters and Climate Change - Volume I.” Platform on Disaster Displacement, July 8, 2019.

<https://disasterdisplacement.org/resource/nipa-vol1/>.

“Agenda for the Protection of Cross-Border Displaced Persons in the Context of Disasters and Climate Change: October 2015.” *International Journal of Refugee Law* 28, no. 1 (2016): 156–62.

<https://doi.org/10.1093/ijrl/eww004>.

“Analytical Study on the Relationship between Climate Change and the Human Right of Everyone to the Enjoyment of the Highest Attainable Standard of Physical and Mental Health.” Human rights documents, n.d. <https://digitallibrary.un.org/record/841798?ln=en&v=pdf>.

“Arctic Sea Ice Hits Record Low.” *Physics Today* 2012, no. 08 (August 28, 2012).

<https://www.scientificamerican.com/article/greene-arctic-sea-ice-hits-record-low/>.

Atapattu, Sumudu. “Climate Change, Human Rights, and Forced Migration: Implications for International Law.” *Wisconsin International Law Journal* 27, no. 3 (2020): 607–650.

The Berne Initiative Managing International Migration through International Cooperation: The International Agenda for Migration Management, n.d.

[https://www.iom.int/sites/g/files/tmzbd1486/files/jahia/webdav/site/myjahiasite/shared/shared/mainsite/policy\\_and\\_research/berne/Berne\\_II\\_Chairmans\\_Summary.pdf](https://www.iom.int/sites/g/files/tmzbd1486/files/jahia/webdav/site/myjahiasite/shared/shared/mainsite/policy_and_research/berne/Berne_II_Chairmans_Summary.pdf).

Black, Richard, Stephen R. G. Bennett, Sandy M. Thomas, and John R. Beddington. “Migration as Adaptation.” *Nature* 478 (2011): 447–449. <https://www.nature.com/articles/478477a>.

- Brown, Lester R. *World Without Borders: Environmental Refugees and Global Policy*. New York: W.W. Norton, 1976.
- Carens, Joseph H. "Aliens and Citizens: The Case for Open Borders." *The Review of Politics* 49, no. 2 (1987): 251–273.
- "Climate change is altering migration patterns regionally and globally" Centre for American Progress, n.d., <https://www.americanprogress.org/article/climate-change-altering-migration-patterns-regionally-globally/>.
- "The Cancun Agreements." UNFCCC, n.d. <https://unfccc.int/tools/cancun/index.html>.
- "Climate Change Widespread, Rapid, and Intensifying." IPCC, n.d. <https://www.ipcc.ch/2021/08/09/ar6-wg1-20210809-pr/>.
- Climate refugees: Global, local and critical approaches - University of East Anglia, n.d. <https://research-portal.uea.ac.uk/en/publications/climate-refugees-global-local-and-critical-approaches>.
- Davenport, Coral, and Campbell Robertson. "Resettling the First American 'Climate Refugees'." *The New York Times*, May 3, 2016. <https://www.nytimes.com/2016/05/03/us/resettling-the-first-american-climate-refugees.html>
- "Disasters Triggered Nearly 265 Million Forced Movements over the Past Decade." IDMC - Internal Displacement Monitoring Centre, n.d.
- <https://www.internal-displacement.org/news/disasters-triggered-nearly-265-million-forced-movements-over-the-past-decade/>.
- "From the U.N. Human Rights Committee to European Courts: Which Protection for Climate-Induced Displaced Persons under European Law?" From the U.N. Human Rights Committee to European Courts: Which protection for climate-induced displaced persons under European Law? - EU Immigration and Asylum Law and Policy, n.d.
- <https://eumigrationlawblog.eu/from-the-u-n-human-rights-committee-to-european-courts-which-protection-for-climate-induced-displaced-persons-under-european-law/?print=print>.
- "The Global Compact for Migration: A Breakthrough for Disaster-Displaced Persons and the Beginning of a Long Process." Platform on Disaster Displacement, July 25, 2018. <https://disasterdisplacement.org/perspectives/the-global-compact-for-migration-a-breakthrough-for-disaster-displaced-persons-and-the-beginning-of-a-long-process/>.
- Global Platform for Disaster Risk Reduction - chair's summary: From commitment to action | UNDRR, n.d. <https://www.undrr.org/publication/global-platform-disaster-risk-reduction-chairs-summary-commitment-action>.
- Hinnawi, Essam E. *Environmental Refugees*. Nairobi, Kenya: United Nations Environment Programme, 1985.

- “Intergovernmental Panel in Climate Change (IPCC).” Climate Change: The 1990 and 1992 IPCC Assessments, June 1992.  
[https://www.ipcc.ch/site/assets/uploads/2018/05/ipcc\\_90\\_92\\_assessments\\_far\\_full\\_report.pdf](https://www.ipcc.ch/site/assets/uploads/2018/05/ipcc_90_92_assessments_far_full_report.pdf).
- Ionesco, Dina. “Let’s Talk About Climate Migrants, Not Climate Refugees.” United Nations Sustainable Development, June 6, 2019. <https://www.un.org/sustainabledevelopment/blog/2019/06/lets-talk-about-climate-migrants-not-climate-refugees/>.
- Katharina Schmidt. “Technology Transfer for Climate Change Adaptation | International Institute for Sustainable Development.” Accessed November 29, 2025.  
<https://www.iisd.org/publications/report/technology-transfer-climate-change-adaptation>.
- “The ICJ’s Advisory Opinion on Climate Change: Key Takeaways from the 2024 Hearings (Part 1).” Climate Law Blog, March 10, 2025. <https://blogs.law.columbia.edu/climatechange/2025/03/10/the-icjs-advisory-opinion-on-climate-change-key-takeaways-from-the-2024-hearings-part-1/>
- “Migration Announced to the UN a Visa for People Displaced by Socio-Natural Disasters from Mexico, Central America, and the Caribbean.” Argentina.gob.ar, June 16, 2022.  
<https://www.argentina.gob.ar/noticias/migraciones-anuncio-ante-la-onu-un-visado-para-desplazados-por-desastres-socio-naturales-0>
- The New York Declaration for Refugees and Migrants, OHCHR, n.d. <https://www.unhcr.org/what-we-do/protect-human-rights/asylum-and-migration/new-york-declaration-refugees-and-migrants>.
- Reid, Kathryn. “Typhoon Haiyan: Facts, Faqs, and How to Help.” World Vision, October 17, 2023.  
<https://www.worldvision.org/disaster-relief-news-stories/2013-typhoon-haiyan-facts#:~:text=Super%20typhoon%20Haiyan%2C%20one%20of,people%2C%20and%20displacing%20millions%20more>.
- “Research Publications.” Climate Change and Migration: The State of International Refugee and Human Rights Law, n.d.  
[https://lop.parl.ca/sites/PublicWebsite/default/en\\_CA/ResearchPublications/202402E#:~:text=In%202020%2C%20however%2C%20the%20United,human%20rights%20of%20displaced%20persons](https://lop.parl.ca/sites/PublicWebsite/default/en_CA/ResearchPublications/202402E#:~:text=In%202020%2C%20however%2C%20the%20United,human%20rights%20of%20displaced%20persons).
- Sendai Framework for Disaster Risk Reduction 2015-2030. UNDRR, n.d.  
<https://www.undrr.org/publication/sendai-framework-disaster-risk-reduction-2015-2030>.
- Solomon, S. D., D. Qin, M. Manning, M. Marquis, K.B. Averyt, M. Tignor, and H.L. Miller. Rep. AR4 Climate Change 2007: The Physical Science Basis. Cambridge, United Kingdom: Cambridge University Press, 2007.
- Staff, World Vision. “Hurricane Katrina: Facts, Faqs, and How to Help.” World Vision, November 20, 2023.  
<https://www.worldvision.org/disaster-relief-news-stories/2005-hurricane-katrina-facts>.
- “Summary of Deliberations: Climate Change and Displacement: Identifying Gaps and Responses: Expert Roundtable, Bellagio Conference Centre, 22-26 February 2011.” UNHCR, n.d.  
<https://www.refworld.org/reference/confdoc/unhcr/2011/en/78553>

“Transforming Our World: The 2030 Agenda for Sustainable Development | Department of Economic and Social Affairs.” United Nations, n.d. <https://sdgs.un.org/2030agenda>

“UN Human Rights Committee Views Adopted on Teitiotia Communication.” Climate Change Litigation, n.d. <https://climatecasechart.com/non-us-case/un-human-rights-committee-views-adopted-on-teitiotia-communication/>

UNFCCC, The Cancun Agreements, n.d. <https://unfccc.int/tools/cancun/index.html>

UNFCCC. *The Paris Agreement*. UNFCCC Secretariat, 2016. n.d. [https://unfccc.int/sites/default/files/resource/parisagreement\\_publication.pdf](https://unfccc.int/sites/default/files/resource/parisagreement_publication.pdf)

“United Nations Conference on the Human Environment, Stockholm 1972.” United Nations, n.d. <https://www.un.org/en/conferences/environment/stockholm1972>.

“United Nations Office of the High Commissioner for Refugees (UNHCR).” Item, n.d. <https://www4.unfccc.int/sites/nwpstaging/Pages/item.aspx?ListItemId=28433&ListUrl=%2Fsites%2FNWPStaging%2FLists%2FMainDB>.

“What is the Kyoto Protocol?” UNFCCC, n.d. [https://unfccc.int/kyoto\\_protocol](https://unfccc.int/kyoto_protocol)

“What is the Sendai Framework for Disaster Risk Reduction?” UNDRR, n.d. <https://www.undrr.org/implementing-sendai-framework/what-sendai-framework>.

“What We Do.” Platform on Disaster Displacement, n.d. Accessed December 7, 2025. <https://disasterdisplacement.org/what-we-do/>.

“Which Countries Are Most Affected by Climate Change? | Oxfam.” December 2, 2025. <https://www.oxfamamerica.org/explore/issues/climate-action/which-countries-are-most-affected-by-climate-change/>.



# Mass Incarceration and Prison Overpopulation

## Overview

Mass incarceration and prison overpopulation are issues of human rights, public health, and global social stability, affecting individuals, families and communities worldwide. While incarceration is required for justice and for ensuring public safety, its rapid expansion, especially in recent decades, has revealed the shortcomings of this practice.

Mass incarceration refers to the widespread and sustained increase in the number of people held in detention, which disproportionately impacts communities of colour and marginalized groups through targeted policies, laws, and judicial systems.<sup>168</sup> Prison overpopulation, on the other hand, commonly references the occupancy rate and the official capacity of prisons, otherwise known as the standard number of beds or spaces designated by authorities.<sup>169</sup> As of 2024, the global prison population stands at 11.5 million,<sup>3, 4, 5</sup> demonstrating that these issues require a broader solution beyond correctional facilities. For instance, in 2020, the US held a disproportionately large fraction of all incarcerated people at 20 percent, despite being home to less than 5 percent of the global population.<sup>170</sup> 118 out of 194 nations double their official incarceration capacity, with 48 nations currently imprisoning between double and triple their capacities.<sup>171</sup>

The roots of present-day incarceration can be traced to the 18th and 19th centuries; incarceration initially served as a means to enforce social exclusion, particularly for marginalized communities, as imprisoned individuals undergo poor physical, psychological and economic conditions.<sup>172, 173</sup> Currently, the Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) states that accommodation provided to prisoners should meet all requirements of health, keeping in mind factors including climate, volume of air, floor space, lighting, heating, and ventilation.”<sup>174</sup>

Mass incarceration and prison overpopulation are fuelled by a combination of deliberate policy choices and populist rhetoric calling for strict law enforcement. This social dilemma has resulted in increased rates of disease and violence within facilities, hindering the eventual reintegration of prisoners into society. Communities are forced to divert vast economic resources that could be better utilized for crime prevention and community development.

---

<sup>168</sup> “Mass Incarceration – Definition and Explanation,” *The Oxford Review DEI Dictionary*, May 2025, <https://oxford-review.com/the-oxford-review-dei-diversity-equity-and-inclusion-dictionary/mass-incarceration-definition-and-explanation/>.

<sup>169</sup> United Nations Office on Drugs and Crime, *Handbook on Strategies to Reduce Overcrowding in Prisons* (e-book), Vienna: UNODC, 2013, [https://www.unodc.org/documents/justice-and-prison-reform/Overcrowding\\_in\\_prisons\\_Ebook.pdf](https://www.unodc.org/documents/justice-and-prison-reform/Overcrowding_in_prisons_Ebook.pdf).

<sup>170</sup> Prison Policy Initiative, “What Percent of the U.S. Is Incarcerated?” (And Other Ways to Measure Mass Incarceration), <https://www.prisonpolicy.org/blog/2020/01/16/percent-incarcerated/>.

<sup>171</sup> UNODC, “Strategies to Reduce Overcrowding in Prisons.”

<sup>172</sup> Megha Ramaswamy and Nicholas Freudenberg, “The Cycle of Social Exclusion for Urban, Young Men of Color in the United States: What Is the Role of Incarceration?” *Journal of Poverty* 16, no. 2 (2012): 119–46, <https://doi.org/10.1080/10875549.2011.639862>.

<sup>173</sup> “Mass Incarceration Trends,” *The Sentencing Project*, May 21, 2024, <https://www.sentencingproject.org/reports/mass-incarceration-trends/>.

<sup>174</sup> Ibid.

In the light of these new realities, SOCHUM must re-examine whether existing measures are truly successful and, if not, determine what can result in lasting and meaningful reform while taking note of the historical beginnings and the modern threads that sustain the issue.

## Timeline

**1777** — John Howard, an English philanthropist, publishes “The State of the Prisons in England and Wales.” This book triggers public outrage over abuse and neglect, inspiring the first prison reform movements across Europe and its colonial territories. Howard’s work frames inspection and humane treatment as priorities and sets early expectations for what would become global penal standards.<sup>175</sup>

**1785** — During the Enlightenment, reformers throughout Europe criticize cruel physical punishments and advocate for imprisonment as an alternative.<sup>176</sup> Jeremy Bentham’s *panopticon* prison design later leads to a rise in surveillance-based monitoring within Russia, Latin America and Europe, encouraging the expansion of centralized incarceration institutions as seen today.<sup>177</sup>

**February 17, 1863** — The International Committee of the Red Cross (ICRC) is established in Geneva, Switzerland and mandated to monitor detention during armed conflicts. The ICRC continues to serve as an advocate against the structural root causes behind prison populations and overpopulation in penal systems.<sup>178</sup>

**December 10, 1948** — The Universal Declaration of Human Rights (UDHR) is adopted by the United Nations and affirms the rights to liberty, fair trial and protection against torture. It is a key document in support of critiques against arbitrary detention, serving as a reference point for all subsequent United Nations debates on mass incarceration.

**August 30, 1955** — The UN adopts the Standard Minimum Rules for the Treatment of Prisoners, which officially outline international standards of the humane treatment of prisoners.<sup>179</sup> While widely referenced in global discourse, the inconsistent application of this legislation demonstrates the gap between theory and practice in overcrowded prisons around the world.

**1970s-80s** — Incarceration spikes globally as it is used as a political and military weapon under authoritarian Latin America, apartheid South Africa, and the “War on Drugs” in the US, contextualizing today’s structural inefficiencies in these regions.<sup>180 181</sup>

---

<sup>175</sup> Leonard H. Roberts, “John Howard, England’s Great Prison Reformer: His Glimpse Into Hell,” *Journal of Correctional Education* 36, no. 4 (1985): 136–39. <http://www.jstor.org/stable/41971574>.

<sup>176</sup> Lynn Hunt, “The 18th-Century Body and the Origins of Human Rights,” *Diogenes* 51, no. 3 (2004): 41–56. <https://home.csulb.edu/~cwallis/382/readings/160/hunt.pdf>.

<sup>177</sup> Mary Gibson, “Global Perspectives on the Birth of the Prison,” *American Historical Review* 116, no. 4 (2011): 1040–1063, <https://doi.org/10.1086/ahr.116.4.1040>.

<sup>178</sup> “Our History,” International Committee of the Red Cross, July 28, 2014, <https://www.icrc.org/en/our-history>.

<sup>179</sup> UNODC, “The United Nations Standard Minimum Rules for the Treatment of Prisoners,” n.d., [https://www.unodc.org/documents/justice-and-prison-reform/Nelson\\_Mandela\\_Rules-E-ebook.pdf](https://www.unodc.org/documents/justice-and-prison-reform/Nelson_Mandela_Rules-E-ebook.pdf).

<sup>180</sup> Marc Mauer, “The Causes and Consequences of Prison Growth in the United States,” *Punishment & Society* 3, no. 1 (2001): 9–20, <https://doi.org/10.1177/14624740122228212>.

<sup>181</sup> Sentencing Project, “Mass Incarceration Trends.”

**1983** — The world's first private prison company, the Corrections Corporation of America, begins operations in the United States.<sup>182</sup> Soon after, prison privatization expands through financial support to the United Kingdom, Australia and parts of Latin America, attaching economic interests to the growing prison population.<sup>183</sup>

**1989** — The Penal Reform International (PRI) emerges as a leading non-governmental Organization (NGO). It advocates for human rights-based criminal justice reforms in prison systems, launching global campaigns seeking alternatives to incarceration.

**December 8, 2002** — The Carandiru Prison in Brazil closes after decades of abuse, notably including a massacre of inmates in 1992. The facility is viewed as reflective of the failures ingrained in Brazil's wider prison system, which continues to suffer from overpopulation, violence, and neglect.<sup>184</sup>

**April 19, 2010** — The UN's Salvador Declaration calls for a reappraisal of international crime prevention efforts through rehabilitation and by addressing the underlying social causes, such as poverty and exclusion, rather than focusing on punitive responses.<sup>185</sup>

**2022** — The PRI and the United Nations Office on Drugs and Crime (UNODC) report that the global female prison population has risen by 50 percent since 2000, especially in Latin America, Africa and Asia.<sup>186</sup> This rise highlights failures of policies geared towards drug use and poverty reduction, while also underscoring the need for gender-specific needs in prison reform.<sup>187</sup>

**July 30, 2025** — The UNODC releases a report which indicates that the global prison population stands at 11.5 million people, with the global average prison occupancy rate at 130 percent of official capacity.<sup>188</sup> This milestone sparks renewed debate about adequate international support, social reintegration, and capacity limitations.

## Historical Analysis

Originally meant for moral reform, prisons evolved into vehicles of political control under colonial and authoritarian regimes. These systems, often inherited and expanded by modern states, eventually became ingrained in their respective societies due to punitive policies and economic incentives.

---

<sup>182</sup> Madison Pauly, "A Brief History of America's Private Prison Industry," *Mother Jones*, June 2016, <https://www.motherjones.com/politics/2016/06/history-of-americas-private-prison-industry-timeline/>.

<sup>183</sup> Encyclopaedia Britannica, "Prison – Privatization," September 5, 2025, <https://www.britannica.com/topic/prison/Privatization>.

<sup>184</sup> Latin America Digital Beat (LADB) Staff, "Infamous Carandiru Prison Closes," University of New Mexico (UNM) Digital Repository, <https://digitalrepository.unm.edu/cgi/viewcontent.cgi?article=14068&context=notisur>.

<sup>185</sup> United Nations, "Salvador Declaration on comprehensive strategies for global challenges: Crime prevention and criminal justice systems and their development in a changing world." (2010), [https://www.unodc.org/documents/crime-congress/12th-Crime-Congress/Documents/Salvador\\_Declaration/Salvador\\_Declaration\\_E.pdf](https://www.unodc.org/documents/crime-congress/12th-Crime-Congress/Documents/Salvador_Declaration/Salvador_Declaration_E.pdf).

<sup>186</sup> "Global Prison Trends 2023," Penal Reform International, 2023, [https://cdn.penalreform.org/wp-content/uploads/2023/10/GPT-2023-Exec-Summary\\_EN.pdf](https://cdn.penalreform.org/wp-content/uploads/2023/10/GPT-2023-Exec-Summary_EN.pdf).

<sup>187</sup> Ibid.

<sup>188</sup> "UNDOC: Prison Matters 2025: Global Prison Population and Trends; A Focus on Rehabilitative Environments." International Corrections and Prisons Association. Published July 30, 2025, <https://icpa.org/resource/udocprison-matters-2025-global-prison-population-and-trends-a-focus-on-rehabilitative-environments.html>.

## From Detention to Punishment

The first prison-like buildings were not punitive; imprisonment was primarily used to hold individuals awaiting trial.<sup>189</sup> The present-day penal system originates from the 18th century, taking its roots from Enlightenment figures: cruel physical punishments were criticized, while more humane forms of justice were encouraged.<sup>190</sup> For instance, Jeremy Bentham, an English jurist considered to be the founder of modern utilitarianism, advocated for rational, civilized punishment, although the later Paul-Michel Foucault, a French historian, asserted that prisons were adopted with the goals of “discipline and punishment.”<sup>191, 192</sup> This change sparked the beginning of the penitentiary model, which was a state or federally centralized system aimed at reforming inmates through imprisonment.<sup>193</sup> Bentham designed the “panopticon” prison, which included a central guard tower surrounding a circular room flanked by inmate cells. Such innovations shifted public conscience, framing prisons as civilized alternatives to corporal or capital punishment by emphasizing surveillance, order, and routine.<sup>194</sup> The panopticon played a key role across France, Britain, Russia, and Argentina in linking incarceration to the humanization of societies, an idea that would come to underscore the spread of prisons worldwide. Iterations on Bentham’s design later allowed for continuous unseen surveillance, which became a tool for control and discipline across modern penal systems.<sup>195</sup>

## Colonialism and the Spread of Penal Systems

The rise of European empires during the 18th and 19th centuries saw the widespread use of “civilized” prisons in colonial territories, while conventional prison designs were repurposed for control over Indigenous and colonized populations. For example, British India’s penal colonies in the Andaman Islands used incarceration to suppress resistance, controlling the Indigenous populations through a web of legal jargon serving to disarm potential retaliation.<sup>196</sup> This pattern of incarceration as control was also demonstrated within both French correctional facilities throughout West Africa and Dutch-run prisons in Indonesia, all serving the dual purpose of punishment and governance.<sup>197</sup> The strategic applications of detention and forced labour reinforced colonial authority rather than reducing crime in essence. Empires used incarceration to suppress defiance, extract labour, and defend racial-ethnic boundaries, establishing direct links between penal systems and the enforcement of state influence over subjugated populations.

## Political Control and Postcolonial Inheritance

The use of prisons as instruments of governance further spread in the 20th century as authoritarian regimes entrenched mass incarceration in policies for clear political goals. From Pinochet’s Chile to Stalin’s USSR, Argentina’s Dirty War to apartheid South Africa, the trend of overcrowding increased as thousands were

---

<sup>189</sup> The Howard League for Penal Reform, “History of the Penal System,” <https://howardleague.org/history-of-the-penal-system/>.

<sup>190</sup> Ibid.

<sup>191</sup> Ibid.

<sup>192</sup> Michel Foucault, *Discipline & Punish: The Birth of the Prison*, trans. Alan Sheridan (New York: Vintage Books, 1995), 195-228.

<sup>193</sup> Tammy L. Castle, “Prison and Jail Systems,” *EBSCO Research Starters*, 2024, <https://www.ebsco.com/research-starters/law/prison-and-jail-systems>.

<sup>194</sup> Howard League, “History of the Penal System.”

<sup>195</sup> Foucault, *Discipline & Punish*.

<sup>196</sup> “From the State of Emergency to the Rule of Law: The Evolution of Repressive Legality in the Nineteenth Century British Empire,” *Chicago Journal of International Law*, <https://cjl.uchicago.edu/print-archive/state-emergency-rule-law-evolution-repressive-legality-nineteenth-century-british>.

<sup>197</sup> Klaas Stutje, “Nusakambangan in Context: Life and Labour Conditions in a Late Colonial Penal Plantation in the Netherlands Indies, 1905-42,” *Journal of Southeast Asian Studies* 53, no. 1-2 (June 2022): 57-79.

incarcerated as a means to suppress political opposition, marginalized groups, and threats to state beliefs.<sup>198</sup> Maoist China and the Soviet Union detained millions of people through networks of labour camps called the *laogai* and the *gulag*, respectively.<sup>199</sup> Rather than justice served through legal evidence, incarceration was used as a method of population control, often leading to severe overcrowding, neglect, and abuse within penal systems. These systems were rooted respectively in anti-communism, nationalism, and revolution, and treated overpopulation and inhumane conditions as a means to intimidate and deter. Similarly, in many postcolonial states within Africa and Latin America, penal systems inherited from colonial powers continued to prioritize political control rather than justice.<sup>200</sup> This largely stemmed from unchanged punitive sentencing, poor legal representation, and broad criminal codes, which drove people into overcrowded facilities.<sup>201</sup>

## Emergence of Global Mass Incarceration

By the late 20th century, a global shift towards punitive justice led to a sharp surge in prison growth and overpopulation. In the United States, “tough on crime” policies manifested in mandatory minimum sentences, Three Strikes laws, which drastically increased punishment upon reoffense, and the War on Drugs, leading to soaring incarceration rates often targeting nonviolent offenders under the veil of public safety.<sup>202</sup> The influence of these policies spread globally through development aid and law enforcement partnerships, including within Mexico, Brazil, and the Philippines.<sup>203</sup> Simultaneously, incarceration became economically lucrative as private prison corporations such as the United States-based CoreCivic and GEO Group, as well as international contractors in developing nations, utilized cheap labour from overcrowded prisons at the expense of human rights.<sup>204</sup>

Therefore, by tracing the roots of mass incarceration and prison overpopulation to the present day, it is clear that modern prison systems were born out of deliberate, hostile policy choices, not merely justice needs. Mass incarceration and prison overpopulation issues today are not a function of increasing crime rates, but rather influenced by socio-economic historical factors unique to each country. While prisons started as holding facilities for people awaiting trial, they took on a punitive turn as society advocated for more civilized punishments under the influence of Enlightenment thinkers. However, during colonial and post-colonial times, prisons further evolved into a means of exercising control over populations in countries such as Britain, Russia, and Maoist China. Recently, both the War on Drugs in the United States and political imprisonments in authoritarian regimes such as those of Brazil and Argentina have further pushed overpopulation and mass incarceration toward their present states.

---

<sup>198</sup> “Argentina, 1976-1983 - Holocaust Museum Houston,” July 13, 2023, <https://hnh.org/education/argentina-1976-1983/>.

<sup>199</sup> Stanley Joseph Stepanic, “The Gulag and Laogai: A Comparative Study of Forced Labor through Camp Literature,” University of Virginia, 2012, <https://doi.org/10.18130/V3V002>.

<sup>200</sup> Viviane Saleh-Hanna, *Colonial Systems of Control: Criminal Justice in Nigeria* (Ottawa: Red Sea Press, 2008).

<sup>201</sup> Rahul Mehrotra and Nandini Sundar, “The Postcolonial Prison: Modernity, Citizenship and Incarceration in India,” *Interventions* 12, no. 3 (2010): 352–368.

<sup>202</sup> Brennan Center for Justice, “Sentencing Laws and How They Contribute to Mass Incarceration,” *Brennan Center for Justice*, <https://www.brennancenter.org/our-work/analysis-opinion/sentencing-laws-and-how-they-contribute-mass-incarceration>.

<sup>203</sup> IDPC, “The War on Drugs: Undermining Peace and Security,” <https://idpc.net/publications/2016/03/un-led-drug-war-threatens-peace-and-security-in-1-in-3-un-member-states>.

<sup>204</sup> John Ashcroft, “Emerging Issues on Privatized Prisons,” *US Department of Justice*, n.d. <https://www.ojp.gov/pdffiles1/bja/181249.pdf>.

## Past UN/International Involvement

The UDHR, adopted in 1948, covered various prisoner rights, extending from the elimination of torture to the right to a fair trial. However, the UN first directly started getting involved in the issues of incarceration in 1955, with the adoption of the Standard Minimum Rules for the Treatment of Prisoners (SMRs) for the humane treatment of prisoners and the management of prisoners.<sup>205</sup>

### **The Standard Minimum Rules for the Treatment of Prisoners and the Nelson Mandela Rules**

In 1955, the UN first set the minimum conditions for the management of prison facilities and the treatment of prisoners. These were later revised as the Nelson Mandela rules and adopted by the UN General Assembly on December 17, 2015, after a five-year revision process.<sup>206</sup> The United Nations Office on Drugs and Crime (UNODC) coordinates the implementation of the Nelson Mandela Rules. By 2023, 50 states had reported some form of legal reform or training aligned with the Nelson Mandela Rules, especially in areas of Southeast Asia and Eastern Europe.<sup>207</sup>

Nevertheless, in several places in Latin America and some parts of Asia, punitive drug laws and harsh penalties have reduced the impacts of the Mandela Rules on incarceration trends.<sup>208</sup> In the Philippines, for example, when incarceration spiked under President Duterte's "war on drugs," overcrowding was a critical issue despite the Mandela Standards, indicating an administrative priority to criminalize while weakening the influence of such human rights standards.<sup>209</sup>

The Nelson Mandela Rules directly concern the issue of overincarceration, as overcrowded prisons strain institutional resources, exacerbate the spread of disease and violence, and lower the standards of living for prisoners as outlined by the UN.<sup>210</sup> Ultimately, however, the Mandela Rules are still "soft laws" with only moral and political authority, and are unable to address the root causes of the overuse of pre-trial detention and excessive sentences that lead to overcrowding in the first place.

### **United Nations Rules for Non-Custodial Measures (Tokyo and Bangkok Rules)**

The United Nations Standard Minimum Rules for Non-Custodial Measures (Tokyo Rules), adopted by the UN General Assembly on December 14, 1990, outline a series of fundamental principles to provide alternatives to

---

<sup>205</sup> "Universal Declaration of Human Rights," United Nations, n.d., <https://www.un.org/en/about-us/universal-declaration-of-human-rights>.

<sup>206</sup> United Nations standard minimum rules for the treatment ..., n.d., [https://www.unodc.org/documents/justice-and-prison-reform/Nelson\\_Mandela\\_Rules-E-ebook.pdf](https://www.unodc.org/documents/justice-and-prison-reform/Nelson_Mandela_Rules-E-ebook.pdf).

<sup>207</sup> "The Group of Friends of the Nelson Mandela Rules Reaches 50 Members as Momentum Builds for Prison and Penal Reform Worldwide," United Nations : Office on Drugs and Crime, n.d., <https://www.unodc.org/unodc/en/justice-and-prison-reform/cpcj-prison-reform/news/the-group-of-friends-of-the-nelson-mandela-rules-reaches-50-members-as-momentum-builds-for-prison-and-penal-reform-worldwide.html>.

<sup>208</sup> Olivia Rope, "Humane 'Corrections': What More Can We Do?," Penal Reform International, May 6, 2025, <https://www.penalreform.org/blog/humane-corrections-what-more-can-we-do/>.

<sup>209</sup> The Drug War Rages on in the Philippines," ACLED, May 9, 2025, <https://acleddata.com/2021/11/18/the-drug-war-rages-on-in-the-philippines-new-aced-data-on-the-civilian-toll-state-responsibility-and-shifting-geographies-of-violence/>.

<sup>210</sup> "Behind Bars, Not beyond Rights: UN Peacekeeping & the Nelson Mandela Rules," United Nations Peacekeeping, accessed December 7, 2025, <https://peacekeeping.un.org/en/behind-bars-not-beyond-rights-un-peacekeeping-nelson-mandela-rules>.

imprisonment in the criminal justice system. It particularly notes that pre-trial detention should be a measure of last resort, and that authorities should consider rehabilitative needs and prisoner reintegration through non-custodial measures when sentencing. The Rules further lay out several potential substitutes to incarceration, including group therapy, community service, case-work, residential programs, and specialized treatments.<sup>211</sup> The Tokyo Rules are also supplemented by the 2010 United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders (Bangkok Rules), which specifically encourage the development of gender-specific alternatives for the growing female prison population. The Bangkok Rules highlight that female prisoners are disproportionately more likely to be victims of abuse, and they are further exposed to such risks during incarceration. Alternatives that take into account gender discrepancies in domestic violence or drug abuse are more effective in ensuring rehabilitation and limiting recidivism.<sup>212</sup>

As of 2023, over a third of the global prison population, or 3.7 million individuals, remain in pre-trial detention.<sup>213</sup> Through effective implementation of alternatives to incarceration and increased adherence to the Tokyo and Bangkok Rules, the number of unnecessarily detained individuals can be reduced dramatically while establishing more rehabilitative prison systems. Delegates should keep these standards in mind when considering how to divert people away from prisons and encourage lower recidivism, thereby mitigating the root cause of overcrowding and overincarceration.

### **Office of the High Commissioner for Human Rights (OHCHR) and the Human Rights Council (HRC)**

The OHCHR supports the mandates of Special Rapporteurs, experts who conduct country visits and release reports drawing a link to racial and ethnic differentiation, pre-trial detention and arbitrary imprisonment. Both bodies have mentioned the intersection of the issue of mass incarceration with rights, such as the right to liberty, non-discrimination, and freedom from cruel, inhuman or degrading treatment. Moreover, the UNHRC's Universal Periodic Review (UPR) studies state practices, especially those that affect marginalized communities, such as the over-policing of small ethnic groups and the excessive use of pre-trial detention. In 2015, the OHCHR released a report titled "Human rights implications of overincarceration and overcrowding,"<sup>214</sup> which highlighted that in some Latin American and African countries, up to 75 percent of the prison population were in pretrial detention, in direct contravention of the Tokyo Rules.

While the mentioned initiatives bring awareness and outline next steps, they are not enforced; resolutions and human rights mechanisms rely heavily on state cooperation. This means that those nations with poor human rights records may end up disregarding or politicizing them, requiring delegates to consider the capacities and unique circumstances of each state. The UPR also only holds nations slightly accountable if no action follows its recommendations. A step to counter these gaps could be to strengthen the mandates via follow-ups, such as visits, and to fund local mechanisms that are suited to each region. Indeed, a report from the Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment mentions that despite the plethora

---

<sup>211</sup> "United Nations Standard Minimum Rules for Non-Custodial Measures (The Tokyo Rules)," OHCHR, accessed December 7, 2025, <https://www.ohchr.org/en/instruments-mechanisms/instruments/united-nations-standard-minimum-rules-non-custodial-measures>.

<sup>212</sup> "United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders (the Bangkok Rules)," OHCHR, December 21, 2010, <https://www.ohchr.org/en/instruments-mechanisms/instruments/united-nations-rules-treatment-women-prisoners-and-non-custodial>.

<sup>213</sup> United Nations Office on Drugs and Crime, *Prison Matters 2025: Global Prison Population and Trends* (United Nations, 2025), <https://www.un-ilibrary.org/content/books/9789211577983>.

<sup>214</sup> UN High Commissioner for Human Rights, ed. *Human rights implications of overincarceration and overcrowding: report of the United Nations High Commissioner for Human Rights*. UN, 10. <https://digitallibrary.un.org/record/848736>.

of standards, key gaps exist in their implementation, highlighting the requirement of regular and transparent monitoring by independent and impartial entities.<sup>215</sup>

### International Committee of the Red Cross (ICRC)

Since the 1870s, the International Committee of the Red Cross (ICRC) has been visiting detained individuals to ensure their respectful and humane treatment, especially in conflict zones, for which it has a mandate under international humanitarian law.<sup>216</sup> The ICRC has highlighted that the reasons for mass incarceration and overpopulation in prisons are external. Many countries that want to be strict on crime have an over-reliance on incarceration as a default response to a wide range of offences, including non-violent and minor crimes. There is a lack of alternatives, an inefficient and sluggish judicial system, and even political issues, where, at times, detention is used as a tool of repression. ICRC's impartial focus has led to tangible improvements in prison administration. Its efforts have raised global awareness about the effects of mass incarceration and overcrowding in prisons. However, the effectiveness of its actions is limited by the political will of the host nation, as it does not have the power to enforce policy changes.

### Penal Reform International (PRI)

Penal Reform International (PRI) is a non-governmental organization focusing on the issues of penal and justice reform worldwide. Specific to the issue of overincarceration, it has substantially contributed to innovations in criminal justice systems globally by leading programs that open up routes such as community service and electronic monitoring as alternatives to incarceration. It has also released a multitude of reports that draw from research on the ground to provide action plans. PRI advocates for diversionary and community-based programs, which have helped in reducing the prison population.<sup>217</sup> There are, however, limited impacts with gaps between policy and actual practice due to a lack of commitment and funding.<sup>218</sup>

## Current Situation

To an extent, prisons may have been integrated as a civilized alternative compared to more severe corporal or capital punishment.<sup>219</sup> However, their implications and aims today have changed, now encompassing issues of public protection, punishment, rehabilitation, and deterrence.<sup>220</sup> Nevertheless, the reliance on incarceration worldwide continues to grow, as the average occupancy rate of prisons is 130 percent of their official capacity.<sup>221</sup>

---

<sup>215</sup> Jill Edwards, A. (n.d.). Current issues and good practices in prison management. United Nations. <https://docs.un.org/en/A/HRC/55/52>.

<sup>216</sup> UNODC, "Strategies to Reduce Overcrowding."

<sup>217</sup> Penal Reform International. (n.d.). *Executive summary / global prison trends 2022*. Global Prison Trends 2022. <https://cdn.penalreform.org/wp-content/uploads/2022/05/GPT2022-Exec-summary-EN.pdf>.

<sup>218</sup> Lattimore, P. K. (2022). *Reflections on criminal justice reform: Challenges and opportunities*. American journal of criminal justice : AJCJ. <https://pmc.ncbi.nlm.nih.gov/articles/PMC9758469/>.

<sup>219</sup> Greg Miller, "The Invention of Incarceration," *JSTOR Daily*, March 18 2022, <https://daily.jstor.org/the-invention-of-incarceration/>.

<sup>220</sup> Ibid.

<sup>221</sup> "Foreign Nationals and Prison Overcrowding – the Gordian Knot" Polity, n.d., <https://www.polity.org.za/article/foreign-nationals-and-prison-overcrowding-the-gordian-knot-2025-02-07>.



## Pre-Trial Detention and Incarceration Alternatives

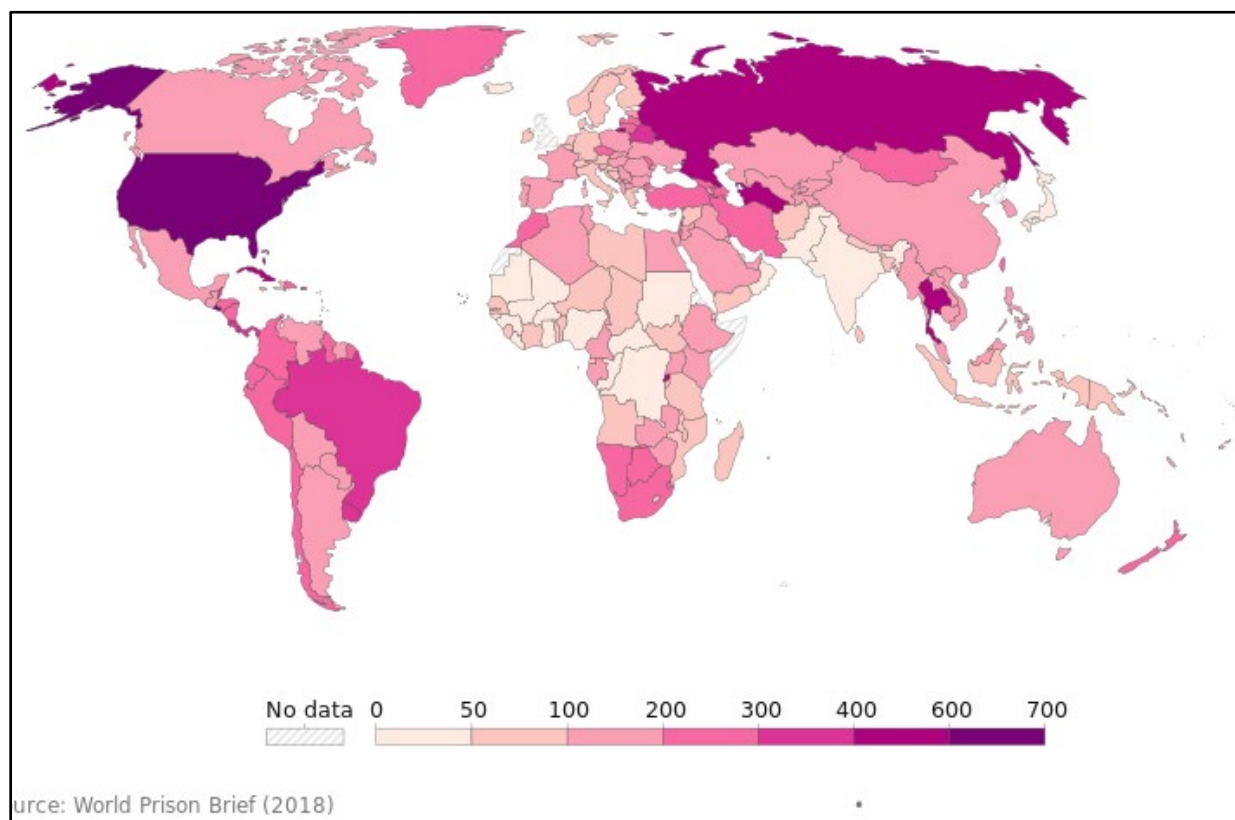


Figure 1: The prison population around the globe per 100,000 national residents in 2018.<sup>222</sup>

Incarceration rates vary by state, with no clear connection to crime levels. In 2021, the global average prison rate was below 150 prisoners for 100,000 of the national population; however, in more than 25 member states, it was between 300-650 prisoners per 100,000 of the national population.<sup>223</sup> Research shows that overall crime patterns stand separate from the use of incarceration,<sup>224</sup> as crime reports and victimization do not reliably correlate with incarceration rates. Rather than being a last resort, imprisonment has become a default punishment, prioritizing isolation over rehabilitation. This approach, exacerbated by pre-trial detention, has caused chronic overpopulation in prisons worldwide.<sup>225</sup>

Globally, more than 3.5 million people, nearly one-third of all the detainees, are held in prison pre-trial. In fact, in some cases, individuals who are held in pre-trial detention may spend a longer time incarcerated than the length of sentences otherwise given for the supposed crime.<sup>226</sup> There were more pre-trial detainees than convicted ones in 45 nations in 2021, with 14 of those nations having 70 percent of the prison population as pre-trial

<sup>222</sup> Our World in Data, Prison Population Rate, May 15, 2021, <https://ourworldindata.org/grapher/prison-population-rate>.

<sup>223</sup> Tapio Lappi-Seppälä, "Causes of prison overcrowding," In Workshop on Strategies to Reduce Overcrowding in Correctional Facilities, 12th United Nations Congress on Crime Prevention and Criminal Justice, Salvador, Brazil, pp. 12-19. 2010. [https://www.unaefi.or.jp/publications/pdf/12th\\_Congress/12Tapio\\_Lappi-Seppala.pdf](https://www.unaefi.or.jp/publications/pdf/12th_Congress/12Tapio_Lappi-Seppala.pdf)

<sup>224</sup> Lappi-Seppälä, "Causes of prison overcrowding."

<sup>225</sup> United Nations, "Common Position of Incarceration."

<sup>226</sup> Ibid.

detainees.<sup>227</sup> Countries like Nigeria, India, and Brazil report 60 to 70 percent of the prison population as pre-trial detainees, while the US alone holds 470,000 people in local jails for pre-trial detention on any given day.

Furthermore, in many criminal justice systems, there are limited alternatives to incarceration, which means courts will have less control over sentences. This compounds the lack, or perceived lack, of public support, insufficient health care, housing, and social services, which affect marginalized communities and common offenders.<sup>228</sup> Moreover, zero-tolerance policies and the populist rhetoric call for stricter law enforcement and sentencing, further fanning the flames.<sup>229, 230</sup> This has, at times, resulted in justice becoming a resource used by politicians to advance political agendas rather than any evidence-based public safety or social reform. Ultimately, overpopulation becomes not just an issue of space, but rather threatens the basic human rights of the detainees. The resulting conflicts, violence and deterioration of prison infrastructure become a huge management and security challenge.<sup>231</sup>

The prolonged use of incarceration as a sentence may also be attributed to the crucial gaps in frameworks to uphold human rights. Overcrowding is largely a result of policies that enforce excessively stringent punishments and standards on crime, including mandatory minimum sentences, criminalization of non-violent behaviour, and insufficient proportionality in sentences. All of this is an exceptionally heavy burden for marginalized communities. Therefore, removing mandatory minimum sentences and limiting the use of life sentences, especially when alternatives exist, are often cited as necessary measures.<sup>232</sup>

### **Abuse and Neglect in Overcrowded Prison Systems**

The UN Special Rapporteur on Torture has highlighted that in many countries of the world, the prisons are overcrowded, filthy, and lack the minimum facilities necessary to allow for a dignified existence, considering the prevalence of tuberculosis and other highly contagious diseases.<sup>233</sup> These squalid conditions, which also affect incarcerated children, are a direct result of systemic neglect. Prisoners are entirely dependent on the state for their basic needs, yet resources are frequently inadequate. This failure to uphold fundamental human rights directly leads to higher mortality and disease outbreaks that are exacerbated by overcrowding. Prisons in California, for instance, were found to be severely overcrowded to the extent that basic human needs could not be met, directly leading to preventable death and suffering.<sup>234</sup> Moreover, the estimated tuberculosis incidence rate among prisoners in the African region was 2242 per 100,00 persons per year in 2019.<sup>235</sup> This was significantly higher than the general population and stood out as exceptionally high in overcrowded prisons.<sup>236</sup> In Brazil, Prisons in São

---

<sup>227</sup> Ibid.

<sup>228</sup> Ibid.

<sup>229</sup> Ibid.

<sup>230</sup> Ibid.

<sup>231</sup> Ibid.

<sup>232</sup> United Nations (1996), *The Life Sentence*, Report of the Criminal Justice Branch of UNOV, United Nations Publication Geneva.

<sup>233</sup> United Nations, “Common Position of Incarceration.”

<sup>234</sup> The Huffington Post. (n.d.). Instead of “One Size Fits All” Justice That Hurts Communities, Let’s Get Smart on Crime . <https://oag.ca.gov/sites/all/files/agweb/pdfs/recidivism/huffington-oped.pdf>.

<sup>235</sup> Leonardo Martinez et al., “Global, Regional, and National Estimates of Tuberculosis Incidence and Case Detection Among Incarcerated Individuals From 2000 to 2019: A Systematic Analysis,” *The Lancet Public Health* 8, no. 5 (2023): 322–334, accessed November 3, 2025.

<sup>236</sup> Nyasulu, Peter S., David S. Hui, Peter Mwaba, Jacques L. Tamuzi, Doris Y. Sakala, Francine Ntoumi, Markus Maeurer, et al. “Global Perspectives on Tuberculosis in Prisons and Incarceration Centers – Risk Factors, Priority Needs, Challenges for Control

Paulo and Rio de Janeiro are also hubs of the country's gangs (First Capital Command), which emerged in overcrowded, neglected prison cells, extending criminal violence into facilities ostensibly intended for the rehabilitation and management of offenders.<sup>237</sup>

### **Inequalities in Incarceration**

Incarceration, as a whole, disproportionately affects those who are marginalized or impoverished, as individuals may face imprisonment for vagrancy, homelessness, or unpaid fines. Moreover, racialized groups are heavily overrepresented in prisons, such as the Roma people in Europe and Indigenous Peoples in Australia and Canada.<sup>238, 239</sup> Their imprisonment creates a cycle that is influenced by inadequate access to legal, health, and social services for prisoners, making it hard for them to re-enter society, making poverty, exclusion, and incarceration recurring.

Drug-related incarceration is also a significant component of global imprisonment, especially among women, and yet many national laws are insufficient in addressing root concerns in this field; they lack the inclusion of non-custodial alternatives, such as evidence-based treatments for substance use. In many countries, including the US, mental illness is also criminalized, as many non-violent acts like substance use may lead directly to incarceration.<sup>240</sup> Moreover, 23 countries, including Afghanistan, Bangladesh, and many African states like Kenya, Sudan, and Tanzania, still criminalize suicide attempts.<sup>241</sup>

As of 2024, out of the 11.5 million individuals incarcerated, 10.5 million are men,<sup>242</sup> but women and children are exposed to unique vulnerabilities in the prison system, including overcrowded gender-insensitive facilities, lack of hygiene, and exposure to violence. In the end, overpopulation not only worsens living conditions, but it also results in cycles of poverty and exclusion, leading to reoffenses and reinforcing the very social problems incarceration set out to solve. Addressing the issue of mass incarceration requires not only a reevaluation of the use of prisons as facilities, but also the principles of the criminal justice system itself and the mechanisms that might encourage more equitable, supportive processes for offenders.

---

and the Way Forward." *IJID Regions* 14, Suppl. 2 (2025): 100621.

<https://www.sciencedirect.com/science/article/pii/S2772707625000566?via%3Dihub>.

<sup>237</sup> Imparato, T. D. P. "(Don't Just) Lock 'Em Up: The PCC and the Policy-Paradox of Employing Mass-Incarceration." *Royal United Services Institute*, October 3, 2023, <https://www.rusi.org/networks/shoc/informer/dont-just-lock-em-pcc-and-policy-paradox-employing-mass-incarceration>.

<sup>238</sup> L. Ayre, "Roma Population Groups." *Children of Prisoners Europe (COPE)*, November 14, 2019, <https://childrenofprisoners.eu/the-issues/roma-populations-in-european-prisons/>.

<sup>239</sup> Government of Canada, Department of Justice. *Justfacts*. November 18, 2024, <https://www.justice.gc.ca/eng/rp-pr/jr/jf-pf/2024/nov.html#fn30-rf>.

<sup>240</sup> C. Ross, "The Criminalization of Mental Illness," *UAB Institute for Human Rights Blog*, January 14, 2020, <https://sites.uab.edu/humanrights/2019/12/04/the-criminalization-of-mental-illness/>.

<sup>241</sup> United for Global Mental Health, *Decriminalising Suicide: Saving Lives, Reducing Stigma*, n.d., <https://unitedgmh.org/app/uploads/2024/09/UNITEDGMH-Suicide-Report-2024-1.pdf>.

<sup>242</sup> Russell Webster, "There Are 11.5 Million People in Prison Globally," Russell Webster, September 18, 2024, <https://www.russellwebster.com/there-are-11-5-million-people-in-prison-globally/>.

## Case Study: El Salvador

El Salvador's prison systems, as of late 2024, operated at 300 percent of their capacity.<sup>243</sup> Moreover, as of February 2025, El Salvador recorded the highest incarceration rate globally (more than 1,600 prisoners for every 100,000 people in the nation).<sup>244</sup> On March 27, 2022, the country's president Nayib Bukele declared a state of emergency in regards to El Salvador's gang violence, which has largely contributed to this spike in prison rates.<sup>245</sup> The crackdown on gang-related crime has detained tens of thousands, often without warrants or process, and many are arbitrarily profiled upon arrest.<sup>246</sup> This "state of exception" on the government's part has frozen constitutional rights, and mass arrests have taken place. This has occurred in sync with over 350 deaths in custody, which, reportedly, are linked to torture, ill treatment, and inadequate medical care, with lock-ups meant for 25 individuals fitting over 75.<sup>247, 248</sup> The prisoners are not allowed contact with lawyers or relatives, while they appear in online hearings as groups of several hundred at a time.<sup>249</sup> The Human Rights Watch is aware of the situation, and has released reports entitled "We Can Arrest Anyone," and "Your Child Does Not Exist Here," the latter referring to the 3,300 children detained "many without any ties to gang activity or criminal organizations."<sup>250</sup> Moreover, in 66 documented cases, children were in situations of "extreme overcrowding."<sup>251</sup>

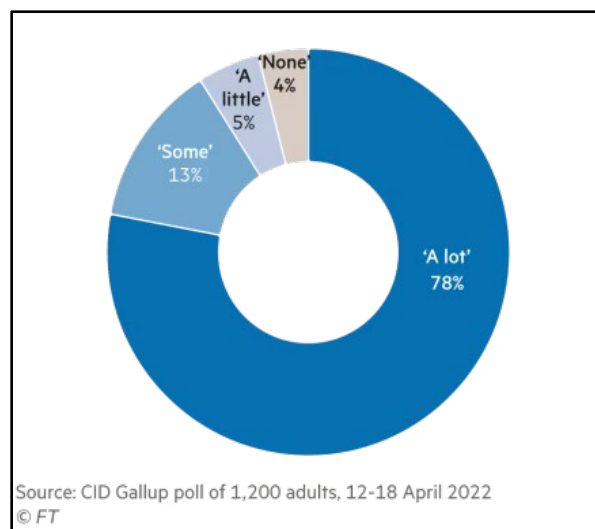


Figure 2: The government opinion on crime is popular in El Salvador, based on the public "agreement with the measures taken against gang members."<sup>252</sup>

<sup>243</sup> "El Salvador: A Thousand Days into the State of Emergency. 'Security' at the Expense of Human Rights," *Amnesty International*, December 20, 2024, <https://www.amnesty.org/en/latest/news/2024/12/el-salvador-mil-dias-regimen-excepcion-modelo-seguridad-a-costa-derechos-humanos/>.

<sup>244</sup> Statista, "Most Prisoners per Capita by Country 2025." <https://www.statista.com/statistics/262962/countries-with-the-most-prisoners-per-100-000-inhabitants/>.

<sup>245</sup> "El Salvador: Crime Rates Down, Incarceration Rates Up." *Denver Journal of International Law and Policy*, n.d. <https://djilp.org/el-salvador-crime-rates-down-incarceration-rates-up/>.

<sup>246</sup> Alan Smith and Christine Murray, "Inside El Salvador's Mega-Prison: The Jail Giving Inmates Less Space than Livestock." *El Salvador, Financial Times*, March 7, 2023. <https://www.ft.com/content/d05a1b0a-f444-4337-99d2-84d9f0b59f95>.

<sup>247</sup> *Ibid.*

<sup>248</sup> *Human Rights Watch Declaration on Prison Conditions in El Salvador for the J.G.G. v. Trump Case*, Human Rights Watch, March 20, 2025, <https://www.hrw.org/news/2025/03/20/human-rights-watch-declaration-prison-conditions-el-salvador-jgg-v-trump-case>.

<sup>249</sup> Human Rights Watch, "J.G.G. v. Trump Case."

<sup>250</sup> *Ibid.*

<sup>251</sup> *Ibid.*

<sup>252</sup> "Human Rights Watch Declaration on Prison Conditions in El Salvador for the J.G.G. v. Trump Case," Human Rights Watch, March 20, 2025, <https://www.hrw.org/news/2025/03/20/human-rights-watch-declaration-prison-conditions-el-salvador-jgg-v>

Nevertheless, El Salvador's drastic anti-crime approach has dropped homicide rates (from 17 per 100,000 in 2021 to around 1.9 per 100,000 in 2024) and is popular on the ground, with the general public in support of their president's actions.<sup>253, 254</sup> Their citizens have "lived in fear of gangs for decades," and President Bukele's "iron fist" had made them disappear in a week.<sup>255</sup> However, reality is more layered, with sanctions placed on several Bukele officials for allegedly coming to "a secret truce" with the gangs and the government's authoritarian actions raising concerns among democratic advocates.<sup>256</sup> El Salvador thus exemplifies an extreme case of the mistreatment that stems from mass incarceration, as well as the abusive and extreme political background that leads to such issues. Still, some nations may yet adopt similarly harsh security measures in hopes of addressing national crime concerns and gaining popular approval. Regarding the decisions undertaken and the impact on the people of El Salvador, the government faces a difficult balance between individual and collective human rights.<sup>257</sup>

El Salvador's prison system also includes a disproportionate number of international individuals. El Salvador's small "Mega Prison" called the Center for Terrorist Confinement (CECOT), is expected to house the same amount of prisoners as two-thirds of Germany's entire prison population.<sup>258</sup> The CECOT was involved in a prisoner switch between the US, Venezuela and El Salvador (which served as a middle ground) in 2025. The US deported some 200 Venezuelan immigrants to the megaprison, and El Salvador (in exchange for 6 million USD) claims they have now been flown to Venezuela, which in turn has released 10 US nationals held "hostage."<sup>259 260</sup> This international and explicitly political dimension magnifies existing crowding, medical neglect, and abuse, detracting from the societal purpose of incarceration. Payments for foreign prisoners, political negotiations, and vague legal status for non-citizens further complicate the situation.

## Case Study: Finland

Finland is a prosperous and safe Nordic country which has evolved through civil war, World War 2, various social crises, and recessions.<sup>261</sup> At the start of the 1950s, Finland had incarceration rates four times higher than its neighbours (while Finland had 200 prisoners per 100,000 of its national population, Sweden, Norway, and Denmark had around 50).<sup>262</sup> The high incarceration rate was largely due to seeing the criminal justice system as the only route to address the rising crime. Non-custodial sanctions were generally distrusted, and imprisonment-worthy crimes included minor offences and the inability to pay fines, resulting in chronic overcrowding. In the 1960s and 70s, however, criminological research showed the ineffectiveness of imprisonment as crime control.

---

trump-case <https://www.hrw.org/news/2025/03/20/human-rights-watch-declaration-prison-conditions-el-salvador-jgg-v-trump-case>.

<sup>253</sup> Statista, "Homicide Rate in El Salvador 2024," <https://www.statista.com/statistics/696152/homicide-rate-in-el-salvador/>.

<sup>254</sup> Gisela Salim-Peyer, "El Salvador's Exceptional Prison State," Global, *The Atlantic*, April 10, 2025, <https://www.theatlantic.com/international/archive/2025/04/el-salvador-bukele/682367/>.

<sup>255</sup> Ibid.

<sup>256</sup> Alan Smith, and Christine Murray, "Inside El Salvador's Mega-Prison: The Jail Giving Inmates Less Space than Livestock," *El Salvador*, *Financial Times*, March 7, 2023, <https://www.ft.com/content/d05a1b0a-f444-4337-99d2-84d9f0b59f95>.

<sup>257</sup> "El Salvador: Crime Rates Down, Incarceration Rates Up," *Denver Journal of International Law and Policy*, n.d. Accessed July 31, 2025. <https://djilp.org/el-salvador-crime-rates-down-incarceration-rates-up/>.

<sup>258</sup> Alan Smith and Christine Murray, "Inside El Salvador's Mega-Prison: The Jail Giving Inmates Less Space than Livestock," *El Salvador*, *Financial Times*, March 7, 2023. <https://www.ft.com/content/d05a1b0a-f444-4337-99d2-84d9f0b59f95>

<sup>259</sup> NBC News, "Men the Trump Administration Sent to El Salvador Megaprison Freed in Prisoner Swap," July 20, 2025, <https://www.nbcnews.com/politics/national-security/men-trump-administration-sent-el-salvadors-cecot-prison-exchanged-prisoners-rcna219643>.

<sup>260</sup> Michael Rios, "What We Know about El Salvador's 'Mega Prison' Where Trump Is Sending Alleged Venezuelan Gang Members," CNN, March 17, 2025, <https://www.cnn.com/2025/03/17/americas/el-salvador-prison-trump-deportations-gangs-intl-latam>.

<sup>261</sup> Lappi-Seppälä, "Causes of prison overcrowding."

<sup>262</sup> Ibid.

This research led to Finland decriminalizing minor offences like public drunkenness and reducing the imprisonment duration for not paying fines, reducing their prison population to nearly one-third of its previous numbers.<sup>263</sup>

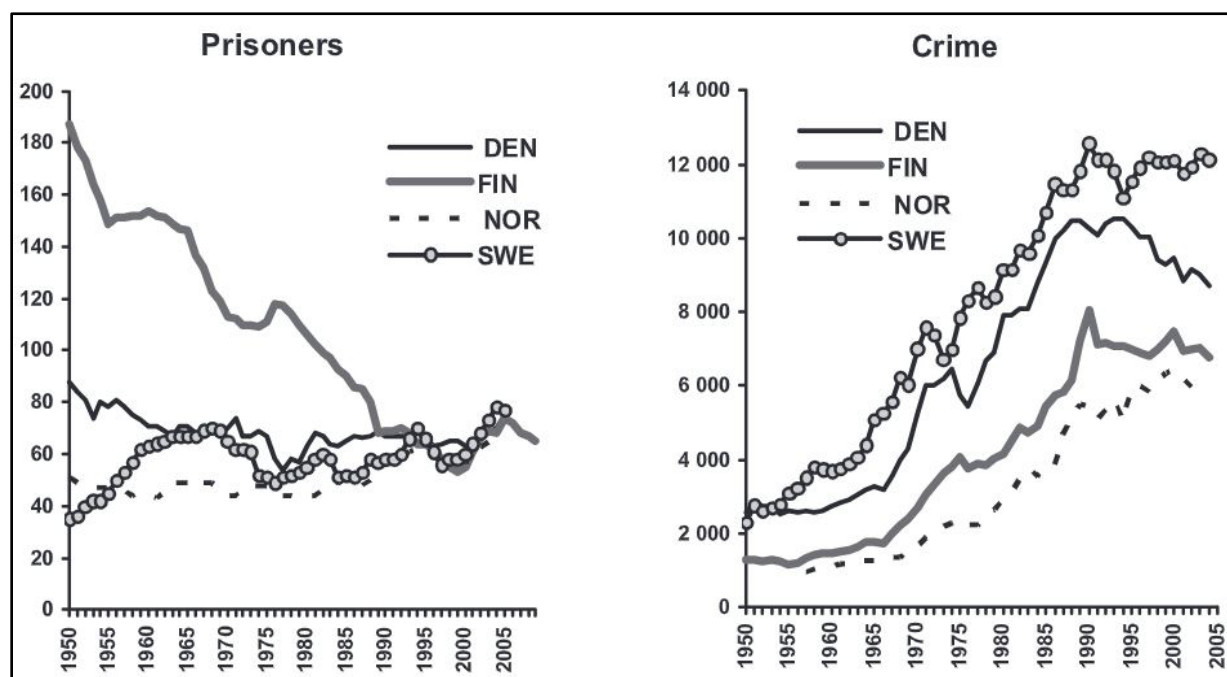


Figure 3: Prison rates and crime rates in four Nordic countries from 1950-2005.<sup>264</sup>

Following that, non-custodial alternatives replaced 35 percent of short in-custody sentences within five years of their introduction.<sup>265</sup> Finland also restricted the impact of re-offending in sentencing, and by giving more discretion to courts, prison sentences for property offences were reduced.<sup>266</sup> These traditional alternatives reduced the number of prison sentences from 11,538 in 1992 to 7,102 in 2007, with community service orders increasing from none in 1992 to 3,312 in 2007.<sup>267</sup> Moreover, Finland's crime rate has not increased unusually relative to its other Nordic counterparts during this time. The nation's strategies for effectively reducing its incarcerated population may serve as a model for reducing sentences and exploring non-custodial alternatives in other countries.

<sup>263</sup> UNODC, "Strategies to Reduce Overcrowding," *United Nations*, n.d.

<sup>264</sup> Lappi-Seppälä, "Causes of prison overcrowding."

<sup>265</sup> Mikko Aaltonen, Joonas Pitkänen, Sasu Tyni, and Pekka Martikainen, "The changing socio-economic composition of the Finnish prison population," *Demographic Research* 51 (2024): 823-854, <https://www.demographic-research.org/volumes/vol51/27/51-27.pdf>.

<sup>266</sup> Lappi-Seppälä, T. L.-S. (n.d.). UNAFEI. CAUSES OF PRISON OVERCROWDING. [https://www.unafei.or.jp/publications/pdf/12th\\_Congress/12Tapio\\_Lappi-Seppala.pdf](https://www.unafei.or.jp/publications/pdf/12th_Congress/12Tapio_Lappi-Seppala.pdf).

<sup>267</sup> Ibid.

### Decriminalization and Human Rights-Centred Reforms

Many states, such as Rwanda, Turkmenistan, and the US,<sup>268</sup> often implement punitive laws and harsh sentencing, which may be influenced by public fears, media reports, and populist rhetoric.<sup>269, 270</sup> As a solution, human rights-centred reforms include reducing mandatory minimums, revisiting sentencing laws, and overcoming biased policing and prosecution.<sup>271</sup> These changes would aim to bring the focus of criminal justice policy to international legal standards, such as the UN's Nelson Mandela Rules, which propose deprivation of liberty to be used only when strictly necessary.<sup>272</sup> For example, in March 2011, the Russian Federation removed minimum sentences for 68 non-violent offences, intending to reduce prison population by one-third and to comply with international human obligations.<sup>273</sup> Another notable example is Portugal, which decriminalized the personal use and possession of all drugs in 2001, referring offenders to health and social services instead of prison, which eased overcrowding without increasing crime.<sup>274</sup> On the other hand, such reforms may be strongly countered politically. Media and political opposition often challenge such implementations, framing reforms as “soft on crime.”<sup>275</sup>

Reform, importantly, must not be narrowly defined based on term reduction or sentence caps, as this overlooks structurally ingrained issues like racial and economic biases. In support, the 2010 Salvador Declaration, which has been adopted by the UN General Assembly, recognizes that real progress in prison reform and crime prevention must have its foundation in targeting root causes such as poverty and social exclusion, rather than piling new penalties in reaction to each offence.<sup>276</sup> Moreover, even well-designed reforms cannot be effective without the right resources and public and policymaker support.<sup>277</sup> Therefore, a stronger emphasis on human rights can be further achieved by the gradual introduction of shorter sentences for low-risk offenders and pre-trial release with public service, helping to legitimize humanitarian efforts.<sup>278</sup> The Mandela Rules (Rule 3) has international legal recognition, and emphasizes that loss of liberty in itself is the punishment and should not be

---

<sup>268</sup> “Incarceration Rates by Country,” *World Population Review*, <https://worldpopulationreview.com/country-rankings/incarceration-rates-by-country>.

<sup>269</sup> Julian V. Roberts et al., *Penal Populism and Public Opinion: Lessons from Five Countries* (Oxford: Oxford University Press, 2002), 4–5.

<sup>270</sup> Jared S. Rosenberger and Valerie J. Callanan, “The Influence of Media on Penal Attitudes,” *Criminal Justice Review* 36, no. 4 (2011): 435–55.

<sup>271</sup> Vera Institute of Justice, *A New Paradigm for Sentencing* (2023), 49–51, <https://vera-institute.files.svdcdn.com/production/downloads/publications/Vera-Sentencing-Report-2023.pdf?dm=1676058378>.

<sup>272</sup> United Nations Office on Drugs and Crime, *The United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)*, Vienna: UNODC, 2025, [https://www.unodc.org/documents/justice-and-prison-reform/Nelson\\_Mandela\\_Rules-E-ebook.pdf](https://www.unodc.org/documents/justice-and-prison-reform/Nelson_Mandela_Rules-E-ebook.pdf).

<sup>273</sup> Natalya Krainova, “No Jail Possible for Thieves, Managers,” *The Moscow Times*, March 9, 2011, <https://www.themoscowtimes.com/archive/no-jail-possible-for-thieves-managers>.

<sup>274</sup> UNODC, “Global Prison Trends.”

<sup>275</sup> Ibid.

<sup>276</sup> Twelfth United Nations Congress on Crime Prevention and Criminal Justice, *Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World* (Salvador, Brazil, 12–19 April 2010), 3–4, [https://www.unodc.org/documents/crime-congress/12th-Crime-Congress/Documents/Salvador\\_Declaration/Salvador\\_Declaration\\_E.pdf](https://www.unodc.org/documents/crime-congress/12th-Crime-Congress/Documents/Salvador_Declaration/Salvador_Declaration_E.pdf).

<sup>277</sup> The Pew Charitable Trusts, “A Boost for Public Safety,” *The Pew Charitable Trusts* (Spring 2021), <https://www.pew.org/en/trust/archive/spring-2021/a-boost-for-public-safety>.

<sup>278</sup> Brookings Institution & American Enterprise Institute Working Group, *A Better Path Forward for Criminal Justice: Reimagining Pretrial and Sentencing* (April 2021), 7–8, [https://www.brookings.edu/wp-content/uploads/2021/04/Better-Path-Forward\\_Brookings-AEI-report.pdf](https://www.brookings.edu/wp-content/uploads/2021/04/Better-Path-Forward_Brookings-AEI-report.pdf)

exacerbated by further suffering.<sup>279</sup> Effective reforms would consider the *specific* contexts and be hand in hand with transparent monitoring and investments in prison staff and infrastructure, which can be overseen by international bodies in accordance to overarching global guidelines. The role of the committee, then, would be to explore platforms and pathways to encourage and enable national prison reforms, perhaps through exchanging guidance, strategies, and advice in relevant implementations.

## Non-Custodial Measures and Alternatives to Incarceration

Non-custodial measures are immediate, cost-effective, and respect human rights to reduce prison populations.<sup>280</sup> Alternatives, like probation, a system where offenders remain under supervision outside of prison for a period of time, electronic monitoring, and restorative justice, which focuses on reconciliation between the offender and victim to repair harm, are proven to support rehabilitation and reduce re-offending tendencies.<sup>281</sup> Pre-trial diversion is also important, as over 70 percent of detainees in some nations are held without being convicted.<sup>282</sup> In Malawi, for example, the Paralegal Advisory Service Institute (PASI) launched a program that helps with bail and plea bargains, thereby reducing pre-trial detention.<sup>283</sup> The Director of PASI has mentioned that “before PASI, many remand prisoners in Malawi awaited their trials for up to 10 years.”<sup>284</sup> PASI has helped detainees in Malawi's prison systems to access means of support and justice and worked for their release or for alternate sanctions, alleviating the nation's most overcrowded prisons. The model has been replicated in Kenya, Uganda, Benin and Niger.<sup>285</sup>

However, alternatives to prison are certainly not a cure-all. Success rates are dependent on the existence of social services or monitoring agencies and how well-funded these programs are.<sup>286</sup> The key concern here is making sure these programs are effective. These measures, therefore, must not become just another form of control, seeing as marginalized groups or youth may be their focus. Simply asking all countries to “use probation” ignores the real challenges they may face in setting up and funding these initiatives.<sup>287</sup> Furthermore, the responsibility for operating such programs should also not be solely placed on Non-governmental Organizations (NGOs) when there is no assurance from the public sector. Instead, it will be more effective to examine how alternatives can be embedded in national law; this ensures the judicial branches are familiar with these new procedures and public trust can be gained.<sup>288</sup> The 2009 Commission on Crime Prevention and Criminal Justice had recommended such legal aid and early-release options.<sup>289</sup> Ultimately, such measures preserve an individual's place in society and reduce entry into prison systems. Delegates can consider international initiatives for capacity-building and

---

<sup>279</sup> United Nations Office on Drugs and Crime, *The United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)*, e-book, Vienna: UNODC, 2015, [https://www.unodc.org/documents/justice-and-prison-reform/Nelson\\_Mandela\\_Rules-E-book.pdf](https://www.unodc.org/documents/justice-and-prison-reform/Nelson_Mandela_Rules-E-book.pdf)

<sup>280</sup> Penal Reform International, *Global Prison Trends 2020* (London: Penal Reform International, 2020), 10.

<sup>281</sup> Restorative Justice Council, “Evidence Supporting the Use of Restorative Justice,” n.d., <https://restorativejustice.org.uk/resources/evidence-supporting-use-restorative-justice>.

<sup>282</sup> United Nations Office on Drugs and Crime (UNODC), *Alternatives to Conviction or Punishment: A Handbook for Practitioners and Policymakers* (Vienna: UNODC, 2018), 9.

<sup>283</sup> Open Society Foundations, *Malawi Paralegal Advisory Service (PASI) Overview of Criminal Justice Pilot* (April 2010), [https://www.unodc.org/documents/congress/background-information/NGO/Open\\_society\\_foundation/Malawi\\_PASI\\_OVERVIEW\\_CJ\\_PILOT\\_April\\_2010.pdf](https://www.unodc.org/documents/congress/background-information/NGO/Open_society_foundation/Malawi_PASI_OVERVIEW_CJ_PILOT_April_2010.pdf)

<sup>284</sup> Ibid.

<sup>285</sup> African Centre of Excellence, “PASI - Malawi,” Access to Justice, 2023, <https://accesstojustice.africa/pasi-malawi/>.

<sup>286</sup> UNODC, *Handbook for Practitioners and Policymakers*.

<sup>287</sup> Ibid.

<sup>288</sup> UNODC, *Handbook for Practitioners and Policymakers*.

<sup>289</sup> “Commission on Crime Prevention and Criminal Justice,” United Nations, n.d., <https://docs.un.org/en/E/2009/30>.



funding to assist nations in implementing these alternatives in addition to strengthening existing guidelines and standards (such as the Tokyo and Bangkok Rules) to encourage their adoption.

## Addressing Inequities and Reintegration

Sentencing policies are often where reform begins, though long-term solutions to prison overcrowding should also consider the social inequities that pull individuals into incarceration. Due to the cyclical nature of mass incarceration, resolving social inequities serves as a solution as it breaks the pattern between a structural disadvantage and repeated imprisonment.<sup>290</sup> When poverty, racial discrimination, and gaps in mental health or education services are left unaddressed, it can culminate in an overrepresentation of marginalized groups within prisons.<sup>291</sup> On the other hand, targeted policies that aim to reduce discrimination, invest in the community's health and education, and promote equal access to economic opportunities can lower both the chance of entry of an individual into the criminal justice system and also the risk of reoffense.<sup>292</sup>

The reintegration process, or what happens after an individual is released, is equally important to the bigger picture. For example, in South Africa's overcrowded prisons, there are limited options for rehabilitation and educational opportunities.<sup>293</sup> Support after release exists, but a multitude of social factors, such as unemployment and stigma, make it difficult for it to be effective while resources for implementation are scarce.<sup>294</sup> A different outlook is present in Norway, where incarceration is framed with normality and life in prison is closely modelled after life outside. There are therapeutic and educational services, and it has seen one of the lowest rates of reoffense by convicts.<sup>295</sup> Furthermore, community safety must also be balanced even as rehabilitation takes priority, while minority groups, such as women and individuals with mental illness, should also be afforded distinct considerations. SOCHUM is not mandated to create new institutions, but it can recommend that member states integrate such practices and urge them to recognize their obligations under the International Covenant on Civil and Political Rights (ICCPR), which calls for reformation and social rehabilitation of prisoners.<sup>296</sup> Respecting each state's capacities, conducting research, and using data-based conclusions to find the best course of action would be instrumental in ensuring the effectiveness of any measures.

---

<sup>290</sup> Bruce Western and Becky Pettit, "Incarceration and Social Inequality," *Daedalus* 139, no. 3 (Summer 2010): 8–19, [https://doi.org/10.1162/DAED\\_a\\_00019](https://doi.org/10.1162/DAED_a_00019).

<sup>291</sup> United Nations Office on Drugs and Crime, *Introductory Handbook on the Prevention of Recidivism and the Social Reintegration of Offenders* (Vienna: UNODC, 2018), 6–7.

<sup>292</sup> Vera Institute of Justice, *Investing in Futures: Economic and Community Benefits of Justice Reform* (New York: Vera Institute of Justice, 2021), 10–12.

<sup>293</sup> Legodi, Refiloe, and Misheck Dube. "Community Reintegration of Offenders at an Overcrowded Rural Correctional Facility: Work Experiences of Correctional Officials." *Social Sciences* 12, no. 9 (2023): 489, <https://doi.org/10.3390/socsci12090489>.

<sup>294</sup> Ibid.

<sup>295</sup> Norwegian Ministry of Justice and the Police, Ministry of Education and Research (Norway), *Short Version of Report no. 27 to the Storting (the Norwegian Storting) – Education and Training in the Correctional Services "Another Spring"* (2004-05), <https://img3.custompublish.com/getfile.php/757321.823.pysuvuxtrf/engelsk.pdf?return=www.krimi>.

<sup>296</sup> United Nations Office of the High Commissioner for Human Rights, *International Covenant on Civil and Political Rights (ICCPR)*, adopted 16 December 1966, <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>.

### Developing Reform-Oriented Nations

This bloc would bring together states that typically experience high levels of pre-trial detention, underfunding for reforms and structural barriers to legal access, such as Nigeria, Kenya, Malawi, and Haiti.<sup>297</sup> This could be due to a legacy of colonial influence or current political instability. Kenya's expansion of its paralegal and community-based bail programs and Malawi's Paralegal Advisory Service Institute (PASI) show recent reductions in pre-trial detention and are models for other states to follow in the region.<sup>298</sup> These countries would advocate for an increase in international support for legal assistance, non-custodial measures, and the gradual reduction of pre-trial detention.<sup>299</sup> They would typically focus on targeting investments into prison infrastructure and health, while also taking care to address human rights concerns.

### Western Low-Incarceration Nations

Comprising nations like Norway, Germany, the Netherlands, and Canada, this bloc has established robust legal safeguards, a strong focus on rehabilitation and dignity, and overall low incarceration rates.<sup>300</sup> Notably, Norway's rehabilitative disciplining approach yields some of the world's lowest overcrowding and reoffense rates.<sup>301</sup> Western European members are trailblazers in implementing alternatives to imprisonment, such as electronic monitoring in the Netherlands and prison capacity sharing in Belgium.<sup>302</sup> This bloc emphasizes the values of justice and reintegration. They have historically invested in legal oversight and would prefer human rights-based reforms along with transparent due process and a close alignment with the Nelson Mandela Rules for the monitoring of detention standards.<sup>303</sup>

### "Tough on Crime" Nations

This bloc would include nations such as the United States, El Salvador, Russia, China, and Egypt, united by their prioritizations of security and deterrence in regards to incarceration policy. The US still has the world's highest incarceration rate, which is fueled by factors like mandatory minimum sentences and "tough on crime" policies.<sup>304</sup> However, bail and sentencing reforms have been seen in recent years.<sup>305</sup> El Salvador's gang crackdowns, Russia and China with their long sentences and centralized prison systems, show a structural preference towards capacity

---

<sup>297</sup> Open Society Justice Initiative, *Fact Sheet: Improving Pretrial Justice in Malawi*, OSJI, London, February, 2013, <https://www.justiceinitiative.org/publications/fact-sheet-improving-pretrial-justice-malawi>.

<sup>298</sup> Kersty McCourt, "How Malawi Put Access to Justice on the UN's Agenda," *Open Society Justice Initiative*, May 23, 2012, <https://www.justiceinitiative.org/voices/how-malawi-put-access-justice-un-s-agenda>.

<sup>299</sup> UNODC, *Handbook on How to Monitor and Evaluate Alternatives to Imprisonment*, Vienna, 2020.

<sup>300</sup> Emily Widra, *States of Incarceration: The Global Context 2024*, Prison Policy Initiative, Washington, DC, June 2024, Appendix 2.

<sup>301</sup> Ariel Bleicher, "Norway's Humane Approach to Prisons Can Work Here Too," *UCSF Magazine*, Summer 2021, <https://magazine.ucsf.edu/norways-humane-approach-prisons-can-work-here-too>.

<sup>302</sup> European Prison Observatory, *Alternatives to Imprisonment in Europe: A Handbook of Good Practice*, [https://www.researchgate.net/publication/320124686\\_Alternatives\\_to\\_imprisonment\\_in\\_Europe\\_a\\_handbook\\_of\\_good\\_practice](https://www.researchgate.net/publication/320124686_Alternatives_to_imprisonment_in_Europe_a_handbook_of_good_practice).

<sup>303</sup> United Nations, *Standard Rules For Prisoners*.

<sup>304</sup> Population Reference Bureau, "U.S. Has World's Highest Incarceration Rate," PRB.org, May 2018, <https://www.prb.org/resources/u-s-has-worlds-highest-incarceration-rate/>.

<sup>305</sup> Widra, *States of Incarceration*.

expansion, which contradicts non-custodial alternatives.<sup>306, 307</sup> Political pressures in these countries may often lead to limited reform and resistance towards measures aimed at decreasing incarceration, though prison conditions and human rights remain crucial concerns and weaknesses in their justice systems.

### Reforming High-Incarceration Nations

Including Brazil, Indonesia, South Africa, and even parts of Southern Europe, this bloc typically faces overcrowded prisons, violence, and challenges in the implementation of alternatives to incarceration. For example, Brazil's prison capacity crisis,<sup>308</sup> Indonesia with its drugs and incarceration reforms,<sup>309</sup> and South Africa's reducing prison population shows a pattern towards decriminalization and reintegration, but reform may often be derailed by political instability and constraints on resources.<sup>310</sup> International cooperation and structural aid would be crucial here as these countries advocate for solutions like review boards and probation.

### Mixed Reform Nations

This bloc, represented by Japan, South Korea, Turkey, and Morocco, advocates for caution in the adoption of reforms. Japan's cautious approach by suspending sentences and slowly reintegrating the convicts into society has resulted in low levels of overcrowding.<sup>311</sup> South Korea increasingly relied on probation,<sup>312</sup> while Turkey periodically uses amnesty and faces severe overpopulation.<sup>313</sup> Nevertheless, bloc respects the standards like the Bangkok Rules for women's incarceration. These countries are marked by political stability, resulting in greater capacity to implement or advocate for preferred solutions but less pressure to adopt either reform or harsher crime policies as a stance.

## Discussion Questions

1. How do factors like race, poverty, and social inequalities lead to unequal incarceration rates within and between regions such as North America and Africa?

---

<sup>306</sup> Amnesty International, "El Salvador: Mil días de régimen de excepción, un modelo de 'seguridad' a costa de los derechos humanos," Amnesty International, December 20 2024, <https://www.amnesty.org/en/latest/news/2024/12/el-salvador-mil-dias-regimen-excepcion-modelo-seguridad-a-costa-derechos-humanos/>.

<sup>307</sup> Lila Kazemian and Sebastián Galleguillos, "A Global Comparison of Long Prison Sentences," *Journal of Criminal Justice* 96 (2025): 102341, <https://doi.org/10.1016/j.jcrimjus.2024.102341>.

<sup>308</sup> Inter-American Commission on Human Rights, "IACHR Expresses Concern over the Situation of People Deprived of Their Freedom in Brazil," press release, March 31, 2020, [https://www.oas.org/en/iachr/media\\_center/PReleases/2020/195.asp](https://www.oas.org/en/iachr/media_center/PReleases/2020/195.asp).

<sup>309</sup> Sila H. Pulungan, Eko Soponyono, and Sugeng Purnomo, "Reforming Indonesia's Approach to Narcotics Offenses: A Call for Rehabilitation over Incarceration," *South Eastern European Journal of Public Health* 25 (2024): 249–253, <https://doi.org/10.70135/seejph.vi.1473>.

<sup>310</sup> Human Rights Watch, *The State Let Evil Take Over: The Prison Crisis in the Brazilian State of Pernambuco* (New York: Human Rights Watch, 2015).

<sup>311</sup> Karin Kaneko, "Japan's Prison Reform Focuses on Rehabilitation," *Japan Times*, June 5, 2025, <https://www.japantimes.co.jp/news/2025/06/05/japan/crime-legal/prison-reform/>.

<sup>312</sup> "More than Half of Child Sex Offenders Get Probation: Report," *Korea Herald*, April 9, 2023, <https://www.koreaherald.com/article/3088983>.

<sup>313</sup> "Turkey's Prison Population Hits Historic High at 403,060," PA Turkey, April 2025, <https://www.paturkey.com/news/2025/turkiyes-prison-population-hits-historic-high-at-403060-now-larger-than-24-countries-20683/>.

2. What non-custodial alternatives, such as community service or restorative justice, have shown effectiveness globally? Should their use be expanded beyond non-violent offenders?
3. What are the main causes of prison overpopulation, and how are they different across regions such as North America, Latin America, and Africa?
4. What strategies have countries used to gain public support for reforms that reduce incarceration rates? What additional monitoring or measures are needed to ensure community safety after the implementation of reforms?
5. What are some of the biggest challenges countries face when trying to implement international standards for prison conditions? What specific empowerment does the UN require to effectively enforce those standards?
6. How do minority or marginalized groups, such as women and minors, experience mass incarceration differently from adult men? What specific reforms or protections may be required for these groups?

## Bibliography

- “A Proposal to Reduce Unnecessary Incarceration.” Brennan Center for Justice. January 20, 2025. <https://www.brennancenter.org/our-work/policy-solutions/proposal-reduce-unnecessary-incarceration>.
- “A World of Prisons.” *Penal Reform International*, n.d. <https://www.penalreform.org/blog/a-world-of-prisons/>.
- Aaltonen, Mikko, Joonas Pitkänen, Sasu Tyni, and Pekka Martikainen. “The Changing Socioeconomic Composition of the Finnish Prison Population.” *Demographic Research* 51 (October 2024): 823–54. <https://doi.org/10.4054/demres.2024.51.27>.
- “Addressing Prison Overcrowding - AfricanLII.” <https://africanlii.org/articles/2025-03-20/SALC/addressing-prison-overcrowding>.
- Albrecht, Hans-Joerg. “Prison Overcrowding – Finding Effective Solutions.” *Max Planck Institute for Foreign and International Foreign Law*, n.d.
- Aon, Maha, Simon Oberconz, and Marie Brasholt. “The Association between Health and Prison Overcrowding, a Scoping Review.” *BMC Public Health* 25 (July 2025): 2218. <https://doi.org/10.1186/s12889-025-23340-9>.
- “Argentina, 1976-1983 - Holocaust Museum Houston.” July 13, 2023. <https://hnh.org/education/argentina-1976-1983/>.
- Ashcroft, John. “Emerging Issues on Privatized Prisons.” *US Department of Justice*, n.d. <https://www.ojp.gov/pdffiles1/bja/181249.pdf>.
- “Background - Houses of Correction - London Lives.” <https://www.londonlives.org/static/HousesOfCorrection.jsp>.
- Birkbeck, University of London. “Prison Populations Continue to Rise in Many Parts of the World, with 11.5 Million Held in Prisons Worldwide.” May 1, 2024. <https://www.bbk.ac.uk/news/prison-populations-continue-to-rise-in-many-parts-of-the-world-with-11-5-million-held-in-prisons-worldwide>.
- Canada, Correctional Service. “Pre-1920: From Punishment to Penance.” Organizational descriptions. November 15, 2007. <https://www.canada.ca/en/correctional-service/corporate/history-csc/timeline/pre-1920.html>.
- “El Salvador: A Thousand Days into the State of Emergency. ‘Security’ at the Expense of Human Rights.” *Amnesty International*, December 20, 2024. <https://www.amnesty.org/en/latest/news/2024/12/el-salvador-mil-dias-regimen-excepcion-modelo-seguridad-a-costa-derechos-humanos/>.
- “El Salvador: Crime Rates Down, Incarceration Rates Up.” *Denver Journal of International Law and Policy*, n.d. <https://djilp.org/el-salvador-crime-rates-down-incarceration-rates-up/>.
- FAQ: What Is the Difference Between Jail and Prison? - Prison Fellowship*. May 26, 2017. <https://www.prisonfellowship.org/resources/training-resources/in-prison/faq-jail-prison/>.

“Foreign Nationals and Prison Overcrowding – the Gordian Knot...” <https://www.polity.org.za/article/foreign-nationals-and-prison-overcrowding-the-gordian-knot-2025-02-07>.

“From the State of Emergency to the Rule of Law: The Evolution of Repressive Legality in the Nineteenth Century British Empire | Chicago Journal of International Law.” Accessed July 29, 2025. <https://cjil.uchicago.edu/print-archive/state-emergency-rule-law-evolution-repressive-legality-nineteenth-century-british>.

“Global Prison Population and Trends: A Focus on Rehabilitation: 2024 Prison Matters.” With the UN Office on Drugs and Crime. UNODC, 2024. <https://digitallibrary.un.org/record/4062258>.

Human Rights Watch. *Declaration on Prison Conditions in El Salvador for the J.G.G. v. Trump Case*. March 20, 2025. <https://www.hrw.org/news/2025/03/20/human-rights-watch-declaration-prison-conditions-el-salvador-jgg-v-trump-case>.

Hunt, Lynn. “The 18th-Century Body and the Origins of Human Rights.” *Diogenes* 51, no. 3 (2004): 41–56. <https://doi.org/10.1177/0392192104043649>.

IDPC. “The War on Drugs: Undermining Peace and Security.” Accessed August 2, 2025. <https://idpc.net/publications/2016/03/un-led-drug-war-threatens-peace-and-security-in-1-in-3-un-member-states>.

Incarceration, Institute to End Mass. “What Is Mass Incarceration?” Institute to End Mass Incarceration. Accessed July 27, 2025. <https://endmassincarceration.org/what-is-mass-incarceration/>.

Initiative, Prison Policy. “‘What Percent of the U.S. Is Incarcerated?’ (And Other Ways to Measure Mass Incarceration).” <https://www.prisonpolicy.org/blog/2020/01/16/percent-incarcerated/>.

“Long-Term Solutions to the Overincarceration of People With Mental Health Disabilities.” *Center for American Progress*, January 11, 2024. <https://www.americanprogress.org/article/long-term-solutions-to-the-overincarceration-of-people-with-mental-health-disabilities/>.

Maqhina, Mayibongwe. “Prison Overcrowding Crisis Raises Alarm with 57,000 Remand Detainees.” IOL, 1753531539000. <https://iol.co.za/news/politics/2025-07-26-prison-overcrowding-crisis-raises-alarm-with-57000-remand-detainees/>.

“Mass Incarceration Trends.” *The Sentencing Project*, May 21, 2024. <https://www.sentencingproject.org/reports/mass-incarceration-trends/>.

MAUER, MARC. “The Causes and Consequences of Prison Growth in the United States.” *Punishment & Society* 3, no. 1 (2001): 9–20. <https://doi.org/10.1177/14624740122228212>.

“Middle East: Operational Response to COVID-19 | ICRC.” May 12, 2020. <https://www.icrc.org/en/document/middle-east-icrc-operational-response-covid-19>.

Miller, Greg. *The Invention of Incarceration*. March 18, 2022. <https://doi.org/10.1146/knowable-031722-1>.

- Minke, Linda Kjaer, and An-Sofie Vanhouche. "Renting Cells Abroad: Understanding Contemporary Policy Responses to Prison Overcrowding." *Nordic Journal of Criminology* 24, no. 1 (2023): 1–16. <https://doi.org/10.18261/njc.24.1.3>.
- NBC News. "Men the Trump Administration Sent to El Salvador Megaprison Freed in Prisoner Swap." July 20, 2025. <https://www.nbcnews.com/politics/national-security/men-trump-administration-sent-el-salvadors-cecot-prison-exchanged-pris-rcna219643>.
- Nguyen, Jimmy. *A Comparative Study of Prison Overpopulation and Its Consequences*. n.d.
- Nichols, David. "Research Guides: Global Prison Studies: Statistical Data." Accessed July 28, 2025. <https://guides.libraries.emory.edu/c.php?g=1348380&p=9957160>.
- OHCHR. "United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders (the Bangkok Rules)." December 21, 2010. <https://www.ohchr.org/en/instruments-mechanisms/instruments/united-nations-rules-treatment-women-prisoners-and-non-custodial>.
- OHCHR. "United Nations Standard Minimum Rules for Non-Custodial Measures (The Tokyo Rules)." Accessed December 7, 2025. <https://www.ohchr.org/en/instruments-mechanisms/instruments/united-nations-standard-minimum-rules-non-custodial-measures>.
- "Our History - ICRC." July 28, 2014. <https://www.icrc.org/en/our-history>.
- "Prison - Definition, History, & Facts." Britannica. July 4, 2025. <https://www.britannica.com/topic/prison>.
- RAMASWAMY, MEGHA, and NICHOLAS FREUDENBERG. "The Cycle of Social Exclusion for Urban, Young Men of Color in the United States: What Is the Role of Incarceration?" *Journal of Poverty* 16, no. 2 (2012): 119–46. <https://doi.org/10.1080/10875549.2011.639862>.
- Rios, Michael. "What We Know about El Salvador's 'Mega Prison' Where Trump Is Sending Alleged Venezuelan Gang Members." CNN, March 17, 2025. <https://www.cnn.com/2025/03/17/americas/el-salvador-prison-trump-deportations-gangs-intl-latam>.
- Roberts, Leonard H. "John Howard, England's Great Prison Reformer: His Glimpse Into Hell." *Journal of Correctional Education* 36, no. 4 (1985): 136–39. <https://www.jstor.org/stable/41971574>.
- Salim-Peyer, Gisela. "El Salvador's Exceptional Prison State." Global. *The Atlantic*, April 10, 2025. <https://www.theatlantic.com/international/archive/2025/04/el-salvador-bukele/682367/>.
- Smith, Alan, and Christine Murray. "Inside El Salvador's Mega-Prison: The Jail Giving Inmates Less Space than Livestock." El Salvador. *Financial Times*, March 7, 2023. <https://www.ft.com/content/d05a1b0a-f444-4337-99d2-84d9f0b59f95>.
- Statista. "Homicide Rate in El Salvador 2024." Accessed July 31, 2025. <https://www.statista.com/statistics/696152/homicide-rate-in-el-salvador/>.
- Stepanic, Stanley Joseph. "The GULag and Laogai: A Comparative Study of Forced Labor through Camp Literature." University of Virginia, 2012. <https://doi.org/10.18130/V3V002>.

“Ten African Solutions to the Problem of Prison Overcrowding in Africa.” *Penal Reform International*, n.d.  
<https://www.penalreform.org/blog/ten-african-solutions-problem-prison-overcrowding-africa/>.

The Howard League. “The Howard League | History of the Penal System.” Accessed July 28, 2025.  
<https://howardleague.org/history-of-the-penal-system/>.

UN High Commissioner for Human Rights, ed. *Human rights implications of overincarceration and overcrowding: report of the United Nations High Commissioner for Human Rights*. UN, 10.  
<https://digitallibrary.un.org/record/848736>.

United Nations Office on Drugs and Crime. *Prison Matters 2025: Global Prison Population and Trends*. United Nations, 2025. <https://www.un-ilibrary.org/content/books/9789211577983>.

United Nations Peacekeeping. “Behind Bars, Not beyond Rights: UN Peacekeeping & the Nelson Mandela Rules.” Accessed December 7, 2025. <https://peacekeeping.un.org/en/behind-bars-not-beyond-rights-un-peacekeeping-nelson-mandela-rules>.

“Untangling the Nineteenth-Century Roots of Mass Incarceration.” *LPE Project*, May 16, 2023.  
<https://lpeproject.org/blog/roots-of-mass-incarceration/>.

Vera Institute of Justice. “The Difference between Jail and Prison.” July 7, 2018. <https://www.vera.org/news/u-s-jails-and-prisons-explained>.

Woodruff, Lynne. “Understanding Our Roots: A Brief History of Prisons.” *Lexipol*, February 1, 2017.  
<https://www.lexipol.com/resources/blog/understanding-roots-brief-history-prisons/>.



