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| RESEARCH ARTICLE

Fragmented Protection: A Critical Analysis of the Legal Gap between International Refugee Law and Local Governance Implementation in Climate-Vulnerable Coastal Regions of South Asia

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| ABSTRACT
Climate displacement is becoming a serious problem, particularly in the coastal areas of South Asia, where climate risks like cyclones, floods, and rising sea levels are causing millions of people to migrate. Even though the threat is on the rise, the protection gap has become very wide, as international law on refugees is not designed to recognize climate displacement, and local governance systems are characterized by a lack of resources and disjointed policies. This paper examines the policy, legal, and governance gaps to climate displacement protection in Bangladesh, India, and Sri Lanka through a qualitative comparative policy research study of secondary data materials, including the law, policy frameworks, and institutional reports. The results indicate that legal invisibility, institutional fragmentation, and policy incoherence are factors that create weak protection mechanisms for the displaced populations. The study suggests that to provide comprehensive protection to the climate migrants in South Asia, a framework of regional climate displacement needs to be developed, the local government should be empowered, and that climate migration should be entailed in the international law of refugees in the country.

| KEYWORDS
Refugee protection, Costal Development Strategy, Governance Capacity, Climate migration, Regional Governance.

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1. Introduction
Climate change has been becoming a characteristic source of human displacement in the twenty first century. It was estimated that more than 35.5 million individuals were displaced annually as a result of weather-related hazards between the year 2008 and 2021, and this is predicted to exceed 200 million individuals by the year 2050 unless action is taken to reverse the current trends (IDMC, 2023; Naser, 2013). The notable environmental forces, which contribute to displacement, are rising sea levels, increasing tropical cyclones, frequent flooding, intrusion of salinity, and erosion of river banks, especially in the low-lying coastal areas (Ottop et al., 2025; Sachs, 2025). These hazards, which are caused by climate, affect the livelihoods, ruin the infrastructure, and, over time, weaken the environmental pillars on which people live. Consequently, there is an increased challenge of migration by communities, either on a transient or permanent basis, in attempts to seek safer grounds and livelihoods that are sustainable.

Mobility due to climate is not an evenly distributed phenomenon world over. It is disproportionately present in areas where the environment is vulnerable and socio-economic instability and institutional weakness are present. Examples of this are the coastal regions of South Asia, especially Bangladesh, eastern India (including West Bengal and Odisha), as well as Sri Lanka. These regions are extremely susceptible to the increasing sea level, coastal erosion, intrusion of saline water in farm lands, and the development of more frequent cyclones and storm surge. As an example, in Bangladesh, there are some 13 million individuals who live below the average sea level in the coastal belt and who are highly vulnerable to floods and cyclonic storms (Khan, 2024). Likewise, in eastern India, about 18 million people are settled within a 10-kilometer distance of the coast, where they are constantly harmed by the extreme cyclones such as Fani (2019) and Amphan (2020), causing severe destruction to the infrastructure (Mondal et al., 2022). The north and east coast provinces in Sri Lanka are endangered by coastal erosion and intrusion of saline water, which impact more than two million people (Raha et al., 2024). These are environmental pressures that pose a threat to food security, cripple agriculture, and ruin local economies that put vulnerable people in a vicious cycle of displacement.

Although there is rising mobility due to climate change, international legal systems have not been effective in dealing with this arising problem. The 1951 Convention on refugees and the 1967 Protocol stipulate that a refugee is a person who harbors a well-founded fear of persecution by his/her race, religion, nationality, social group, or political opinion (Benhabib, 2020; UNHCR, n.d.). This definition, which was developed after the second world war, has been geared towards persecution by either a state or non-state agents, rather than destruction of nature or natural disaster. Through this, individuals displaced due to climatic activities such as rising sea levels, cyclones, and floods are not regarded as fulfilling the legal requirements of a refugee, and therefore, they cannot enjoy the benefits of the international refugee laws. This has been described by scholars as the protection gap, in which displaced populations due to climate are not incorporated into key processes, such as asylum and non-refoulement and long-term solutions (Md. S. Ahmed et al., 2025; Gupta et al., 2025; Shafi, 2025).

Despite the recognition of the interplay between climate change and displacement by international bodies such as the United Nations High Commissioner for Refugees (UNHCR), the existing world systems still mostly exist on guidelines but not as legally binding frameworks (UNHCR, n.d.). This puts populations that have been displaced due to climate in a grey zone of law, in which their mobility receives humanitarian treatment, but without rights of protection under international law. This has been the source of an increasing debate among scholars and policymakers that the global protection frameworks need to be modified in order to respond to climate-related displacement. At the local level, the governance institutions are very important in responding to climate displacement, especially in disaster response, adaptation planning, infrastructure development, and social welfare. Nevertheless, these institutions have a lot of challenges in most of the South Asian coastal regions, among them the fact that they have disparate governance among departments such as the disaster management, land administration, public health, and social services, resulting in bad coordination and low policy implementation (Mohmand & Naveed, 2025; Ta & Linh, 2024). Secondly, local governments are usually confronted by an insufficiency of financial resources, technical capability, and a lack of proper data systems, and managing mass exertion as a result of environmental pressure is challenging.

Countries in South Asia are especially challenged in the provision of governance to tackle such issues like displacement brought about by climate, especially in Bangladesh, India, and Sri Lanka. The strategies to combat disasters, such as the Coastal Development Strategy and the climate adaptation policies, focus on disaster risk management and community resilience in Bangladesh, yet, in the country, there are overlapping institutional issues and insufficient administrative capacity to implement them effectively at the local level (Harun et al., 2025). The National Disaster Management plan in India covers disaster response mechanisms, and this does not clearly acknowledge the displacement that is caused by climate, leaving the affected populations without effective legal provisions. Equally, the National Climate Change Policy of Sri Lanka recognizes the threats of climate, but there is no binding aspect on the mobility and security of the displaced people (Nafees Ahmad, 2024). These loopholes depict the futility of the national and local governments in converting the aims of climate adaptation into a physical

safeguard of displaced communities. Figure 1 shows how the coastal states of South Asia, such as Bangladesh, eastern India, and Sri Lanka, are vulnerable to floods, cyclones, salinity intrusion, and sea level rise. These risks are clustered in certain coastal regions, and this aspect is what has contributed to increasing the pressure of displacement. The figure also highlights the intricacy of national and subnational governance where local authorities have to deal with adaptation and migration processes using limited resources and well-organized institutional structures.

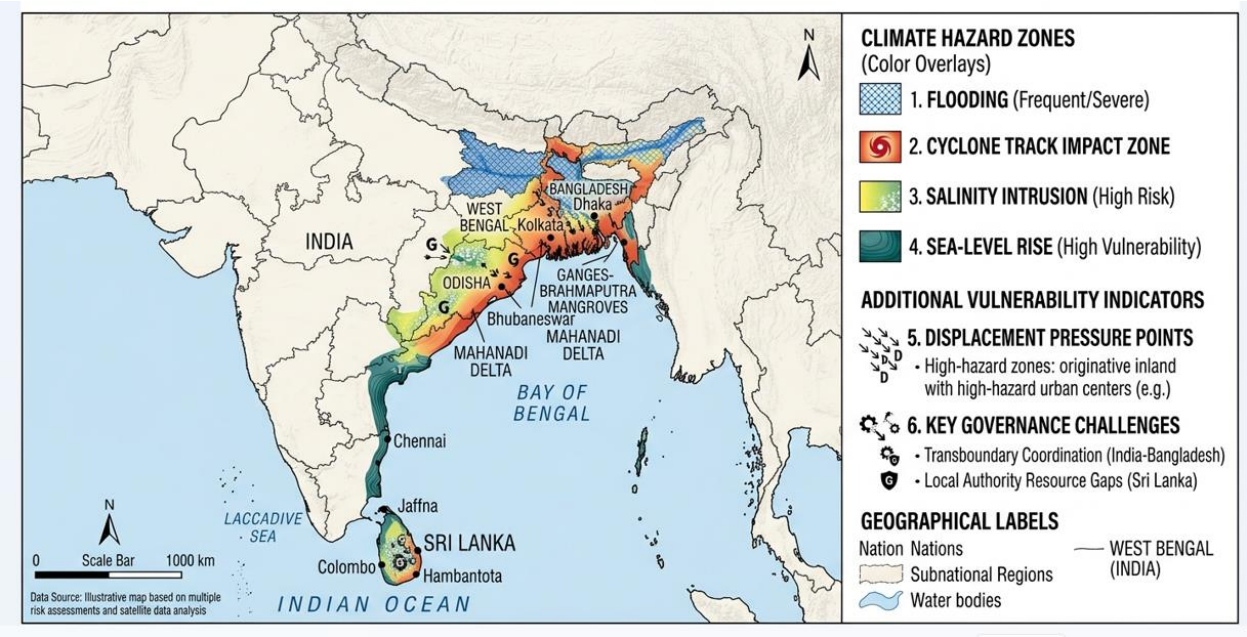

Fig. 1 Coastal areas of South Asia vulnerable to climate such as Bangladesh, eastern India, and Sri Lanka

This paper will look at the loopholes in the law and those gaps in governance in relation to climate-induced displacement in the coastal areas of South Asia. It takes a critical assessment of how the law of international refugees responds to displacement due to climate change and examines the local systems of governance in Bangladesh, eastern India, and Sri Lanka. The research highlights the issue of institutional barriers to the effectual implementation of effective protection measures for climate-displaced populations. The study is part of the larger discussion on the issue of climate migration and governance, which sheds light on the improvement of legal frameworks and institutional capacities to afford greater protection to the victims of climate change.

2. Literature Review

2.1 Migration and Environmental Mobility as a result of climate

Climate change is coming to be accepted as a key cause of human mobility on the global arena. Both sudden-onset hazards, including floods, cyclones, and storm surges, and slow-onset environmental processes, including sea-level rise, desertification, and salinity intrusion, have been exacerbated by anthropogenic climate change and affect livelihoods, as well as the sustainability of human settlements (Gupta et al., 2025). In coastal areas, these environmental stresses are acute due to the reliance of climate sensitive industries like agriculture and fisheries on communities. According to global investigations, climate-associated elements will probably cause the movement of over 200 million individuals before 2050, particularly in the third world, where the environment is vulnerable and is overlapped by socioeconomic inequality and adaptation inability (Hauer et al., 2019). However, scientists emphasize the fact that the environmental factors are not the sole determinants of climate migration, rather the process is the complex connection of environmental pressures, economic factors, political systems, and social systems (Avallone, 2024; Munoz, 2021). Migration in most cases can be seen as a kind of adaptive livelihood policy whereby households can maximize their sources of income and minimize their vulnerability to environmental shocks (Priodarshini & Mallick, 2021).

There is empirical evidence to emphasize the growing magnitude of climate-related displacement on the global scale. According to the estimates of the Internal Displacement Monitoring Centre (IDMC), millions of people are displaced annually because of disasters, including those caused by climate change, such as floods, storms, and cyclones (IDMC, 2023). Figure 2 demonstrates that the number of people displaced by climate is rapidly increasing, and in 2023, it is estimated at about 35.8 million people displaced. This trend has been attributed to the rising frequency and intensity of extreme weather related to global climate change. The statistics highlight the role of environmental risks in influencing current migration trends, particularly in places where exposure to climatic risks is high, with poor institutional adaptations.

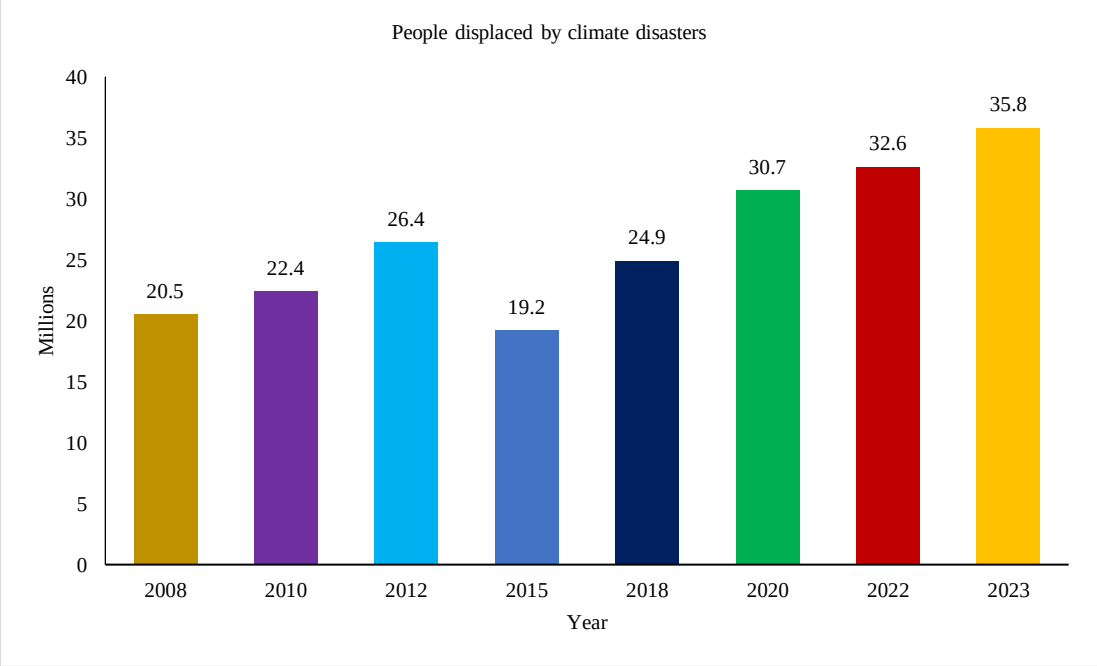

Fig. 2 The Patterns of climate-related displacement in the world (2008-2023)

Geographic vulnerability and population density are some factors that define climate mobility in South Asia. The rise in sea-level, soil erosion, and salinity are stressing the environment of coastal zones like the Sundarbans and Ganges-Brahmaputra Delta, causing people to migrate to urban regions such as Dhaka, Kolkata, and Chittagong, where the migrants frequently reside in informal settlements with scarce infrastructure and employment opportunities (Gupta et al., 2025). This is further exacerbated by the fact that the low-lying nations, such as Bangladesh, are exposed to the rise in sea-level and a melting of the Himalayan glaciers (Md. S. Ahmed et al., 2025). These aspects bring about complicated patterns of climate mobility, which underscore the necessity of combined governance and policies to resolve the climate-directed displacement.

2.2 The International Refugee Law and its limitation

The key impediment to solving the problem of displacement due to climate conditions is the restriction of the existing international legal framework for refugees. The global regime of refugee protection is mostly organized on the basis of the 1951 Convention on refugees and the 1967 protocol of that Convention where a refugee is recognized as a person with a well-founded fear of persecution due to his or her race, religion, nationality, political opinion, and membership of a certain social group (Ballinger, 2025; Sarjana, 2018). The legal interpretation is an expression of the geopolitical situation of the post-World War II period and was meant to accommodate people who were escaping political persecution, as opposed to environmental destruction.

This causes that those individuals who are displaced due to climatic reasons like sea level rise, drought, or flood are not considered as refugees according to international law (Sachs, 2025). Such exclusion has produced a big

protection gap in legal terms, which excludes climate-Displaced persons from access to a range of rights and protections afforded to convention refugees, such as asylum procedures and protection against forced return (Naser, 2013; Prem, 2025). This is often called by scholars a case of legal invisibility wherein displaced populations is outside the existing protection systems.

Efforts by some to redefine the current legal frameworks to accommodate climate migrants have not been very successful. The majority of national courts and jurists believe that there is no such environmental displacement that can be considered as persecution as demanded by the Refugee Convention (McAdam, 2022; Sritharan, 2023). In addition, foreign policy programs have not been able to address this vacuum. An example of such a move is the 2018 Global Compact on Refugees, which is seen as a significant step in the international regulation of refugees, yet clearly does not cover the situation of environmental displacement (Woodworth, 2024). This means that persons who were displaced due to the climate conditions are usually in precarious conditions where there is no certainty about legal status, and access to basic services and increased susceptibility to human rights abuses (Ottop et al., 2025).

2.3 South Asian Climate Displacement

The case of the South Asian region is one of the most climate-vulnerable regions on the planet and a pivotal case study of the interaction between climate change and human mobility. Bangladesh, India, and Sri Lanka are some of the cities where extreme weather is a frequent occurrence and environmental degradation is a long-term phenomenon threatening communities that rely on coastal areas and agriculture (M. N. Q. Ahmed et al., 2024). The case of Bangladesh is one that is under threat of a severe climate owing to its low-lying topography and its high population density. There are already negative impacts of rising sea levels and intrusion of salinity that has impacted vast portions of agricultural land in coastal districts, thereby lowering crop productivity and causing the rural population to migrate to urban centers (Baruah, 2025). By the middle of the century, it is estimated that the number of people who will be internally displaced, as a result of the rising effects of climate, will be in the millions in Bangladesh.

The same problem is experienced in India in the coastal states like West Bengal and Odisha, whose economies are repeatedly affected by cyclones and flooding, causing the displacement of communities. In cities like Kolkata and Guwahati, migrants have risen in terms of numbers of people in the rural environment that has been affected by the environment and usually presented an extra strain on the housing, jobs, and urban infrastructure (Baruah, 2025; Gupta et al., 2025). Environmental pressures associated with climate changes also affect Sri Lanka, especially in coastal erosions and salt intrusion into the freshwater reservoirs. These ecological pressures endanger fishing communities and agricultural livelihood which are part of internal migration trends in the country. Though climate migration in Sri Lanka is usually slow and localized, the rise in effect due to environmental change would change settlement patterns significantly in the next decades (Md. S. Ahmed et al., 2025).

Though South Asian countries have common points of vulnerability, they have yet to form a regional mechanism to deal with the issue of cross-border climate displacement. Researchers believe that regional cooperation systems have the potential to control the movement of people in the future and lessen tensions related to the movement of people in the future as a result of climate change (M. N. Q. Ahmed et al., 2024; Md. S. Ahmed et al., 2025).

2.4 Policy and Governance Implementation Problems

Good governance is essential in the management of climate displacement and assisting of the vulnerable populations. Nonetheless, South Asian governments, both national and local, are often constrained by institutional and financial factors and are therefore unable to develop sound policies on climate adaptation and migration. Fragmentation of governance responsibilities of various departments within the government is one of the major challenges. The disaster management agencies, environmental ministries, migration organizations, and social welfare organizations tend to be independent, and therefore, coordination of policy is minimal, and the response to climate displacement is inefficient (Rahman & Islam, 2024). The local governments having implementation of most

policies related to adaptation often do not have the resources and technical skills to act in the large-scale environment migration.

In Bangladesh, as an example, the policies used by the government are not blind to the significance of climate adaptation, but there is almost no actual implementation because the whole institution is fragmented, and there is a lack of resources. It has been observed that state-based resettlement initiatives have been faulted due to inability to offer sustainable livelihoods to relocated communities (Baruah, 2025). Likewise, in India, social and economic marginalization of climate migrants in cities is common, as they might not have legal papers and may not have access to government services. The migrants have, in other instances, been evicted or criminalized as they take informal settlements (Zainab Bibi & Dr. Ambreen Abbasi, 2024).

Social inequalities are also adding to these governance issues. The disadvantaged groups, like the indigenous people, people of lower caste, and religious minorities, have a hard time accessing the programs of disaster relief and resettlement (Ballinger, 2025). The following disparities are set to be considered in order to have climate adaptation policies that are inclusive and competent.

2.5 The Protection Gap and Governance Hacked

The nexus between climate change and migration and international law has led to much academic controversy as to whether there is a global protection gap. The existing global order of displacement is divided into various legal frameworks to cover the refugees, internally displaced individuals (IDPs), and migrants. All these buildings are not enough to comment on the details of displacement based on climate (Dr. Syed Shameel Ahmed Quadri et al., 2025; Zainab Bibi & Dr. Ambreen Abbasi, 2024).

Consequently, there are large numbers of climate-displaced people who are in a legal no-man land, with no obvious rights or protection under international law (Sabirin et al., 2024). Other researchers suggest establishing a new international agreement that is specifically on climate refugees, and it is argued that the magnitude of climate displacement is something that needs a specific legal tool (Precious Oluwaseun Okedele et al., 2024; Sarjana, 2018). Nevertheless, such a convention has not achieved much because of political opposition by many states. Another solution is the reinforcement of the current soft-law mechanisms and regional efforts. Nansen Initiative and the Platform on Disaster Displacement have formulated measures to be used to protect individuals displaced across the borders due to disasters, focusing on humanitarian visas, temporary protection, and preparedness planning (Van Der Vliet & Biermann, 2022). Nevertheless, these principles are difficult to make national binding laws.

2.6 Hypothetical Model: Walt and Gilson Policy Triangle

The study uses the renowned Policy Triangle Framework, which is a robust policy and governance analysis model, to respond to the governance questions of displacement caused by climate. Firstly, this framework was created by Walt and Gilson in 1994, but it considers policy as four interdependent dimensions of context, content, actors, and process. This model pays attention to the structural conditions, institutional arrangements, and stakeholder relations that determine policy formulation and implementation, unlike classical methods that only look at the outcomes of the policy. Applying to climate displacement governance, the framework will offer a logical pattern to recognize the connection amongst international refugee law and local governing activities in South Asian coastal territories with climate prone areas (Behzadifar et al., 2022; Mohmand & Naveed, 2025). The context dimension takes into account environmental, political, social-economic factors, including South Asian susceptibility to increases in sea levels, frequent cyclones, and seashores erosion, which endanger the livelihood of millions of people. These environmental forces, in conjunction with high population density, economic inequality, and historical patterns of development, present difficult issues in dealing with climate change-induced migration (Behzadifar et al., 2022).

The content dimension dwells upon the legal and policy frameworks that concern climate displacement, such as international documents such as the Refugee Convention of 1951 and its Protocol in 1967, and the domestic adaptive and disaster management policies. The actors dimension also focuses on the various stakeholders in

climate migration governance, including national and local governments, international agencies, including UNHCR and IOM, civil societies, and the affected communities who perform different roles in shaping the policy outcomes (Cullen, 2022; Saha & Seth, 2025). Lastly, the process dimension looks at the development, adoption, and evaluation of policies on different levels of governance. The reluctance to develop policies and address the issue of providing international protection to climate migrants is slow, political resistance, expressed through the absence of climate migrants in the Global Compact on Refugees, slows down the development of effective protection frameworks(Woodworth, 2024). The Walt and Gilson Policy Triangle approach, as shown in Figure 3, the interplay of context, policy content, stakeholder interactions, and institutional processes has formed the governance results, which have created a continued gap in governance in the area of climate displacement protection.

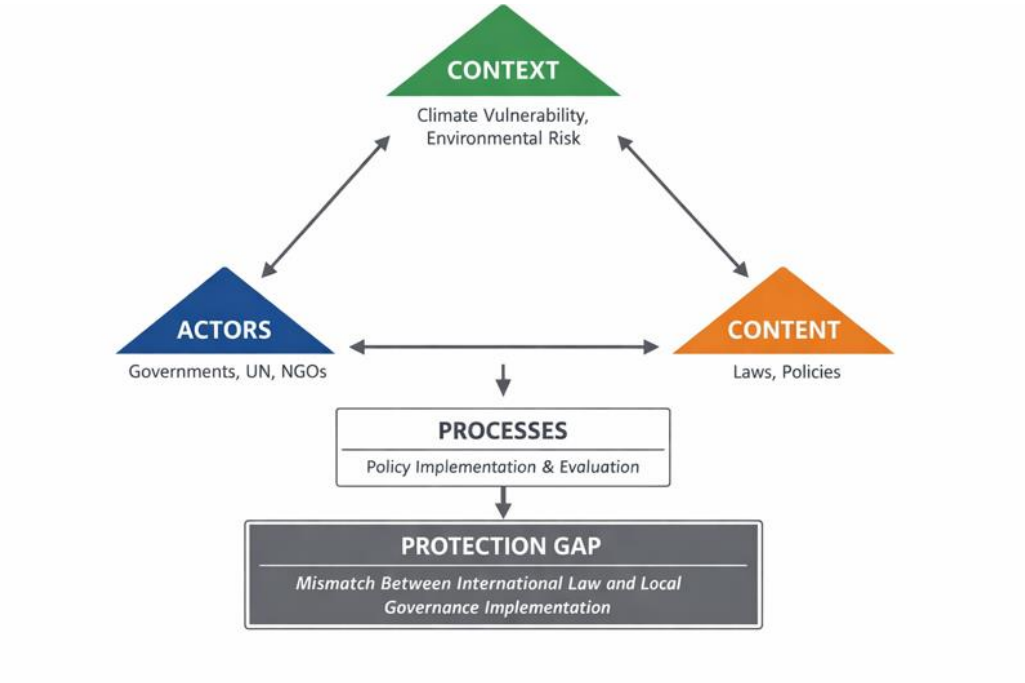

Fig. 3 Climate displacement governance Framework

3. Methodology

3.1 Research Design

This paper will take a critical qualitative doctrinal legal approach and that of a comparative policy analysis as a tool to explore the gap in protection between the international refugee law and the local government application in climatic vulnerable coastal areas of South Asia. The doctrinal legal approach determines the basis and the normative range of the international refugee law, specifically the 1951 Refugee Convention and the 1967 Protocol, to determine their applicability in the case of climate-induced displacement, and the normative focus facilitates the identification of legal constraints that lead to the protection gap faced by climate-displaced people. To extend this legal analysis, the focus of the study is a comparative case study of the coasts of Bangladesh, eastern India, and Sri Lanka, as the areas have been selected due to their being some of the most climate-prone coastal regions in South Asia, which are susceptible to numerous hazards, including cyclones, flooding, sea-level rise, and salinity intrusion. It is a comparative approach that can be used to analyze critically the differences among the ability to govern, reaction to policies, and institutional design in these environments.

3.2 Case Study Selection

The study targets three climate exposed coastal settings, including the Bangladesh coastal belt, eastern coastal India (West Bengal and Odisha), and the Sri Lanka coastal region, due to the fact that they are at a high state of climate exposure and population exposure but under different governance and administrative structures. This type of case study enables the analysis of the study to critically address the ways the national and local institutions perceive and apply policies and sometimes fail to translate policies into effective protective measures of the climate

displaced people, and through this comparison, the research can identify structural gaps between the law and practice.

3.3 Data Sources

The research makes use of secondary qualitative and quantitative sources of data. Treaties involving the Convention on refugees of 1951, the Protocol of 1967, and other international human rights instruments are examined to determine how much the international law acknowledges climate displacement. National policy documents of Bangladesh, India, and Sri Lanka, such as climate adaptation plans, disaster plans, and migration policies, are also evaluated to study the governance responses. Moreover, institutional sources like the Intergovernmental Panel on Climate Change (IPCC), the United Nations High Commissioner for Refugees (UNHCR), and the Internal Displacement Monitoring Centre (IDMC) are used as sources of empirical data on climate displacement and vulnerability. A combination of these sources would enable critical cross-examination of the law provisions, policy instruments, and the ability to govern.

3.4 Analytical Framework

In order to have a systematic analysis of the relationship of the international law and local governance, this paper uses the Walt and Gilson Policy Triangle Framework, which is a popular analytical model of studying policy and governance. The framework considers policy dynamics in four components that are interconnected through context, content, actors, and process. The context dimension is associated with the exposure to the environment, climate susceptibility, and the wider socio-economic factors that define the policy settings. The content dimension is based on the legal provisions and the policy structures of climate displacement. The actors dimension emphasizes the role of national governments, international organizations, civil society groups, and communities affected by the policies in policy development and implementation. Lastly, the process dimension looks at the policy formulation, implementation, as well as evaluation at various levels of governance. A combination of these four factors offers a complete framework through which the interaction of legal norms and governance practices in the formation of protection mechanisms of climate-displaced people can be considered.

3.5 Data Analysis

The combination of thematic analysis, policy gap analysis, and comparative evaluation was used to analyze information. Thematic analysis revealed recurring patterns and themes of the legal writing, policy documents, and reports of the institutions in terms of climate displacement, capacity of governance, and protection mechanisms. Policy gap analysis involved making a comparison of normative provisions of international law regarding refugees and the real implementation of policies on the ground at both national and local levels.

Moreover, the use of descriptive statistical visualization was used to demonstrate comparative results in the regions of the case study. To compare the most important variables related to the legal recognition, governance capacity, and access to protection mechanisms, the bar graphs were produced comparing Bangladesh, India, and Sri Lanka. With the help of these visualizations, it is possible to present governance disparities clearly and the scale of the protection gap.

3.6 Ethical Considerations

The given work has been based solely on the publicly available sources of secondary data, such as academic literature, policy documents, and institutional reports. There was no primary data gathering or direct engagement with the human subjects. The sources are cited adequately, data interpretation is based on the standards of academic integrity. Research methodology is transparent and reproducible, and follows the ethics of normal research.

4. Results and Findings

In this section, the results of empirical research on the doctrinal legal analysis, comparative policy analysis, and thematic policy gap analysis were presented as described in the methodology. The findings are devoted to the legal

status of climate displacement in international law, the governance capacity of South Asian coastal areas, and institutional obstacles to the protection of the climate-displaced population. The comparative indicators and statistics were formed based on data of international legal instruments, domestic policies, and reports by UNHCR, IPCC, and IDMC. These results indicate discrepancies between global frameworks and local governments, with tables that summarize the main indicators and figures that show the trends of displacement of the entire region.

4.1 Gap in Law Recognition of International Refugee Law

The doctrinal discussion brings out a significant shortcoming of the global system of protecting refugees in cases where displacement is due to climate change. The main legal means of the protection of refugees are the 1951 Refugee Convention and its 1967 Protocol, which justify the definition of the refugees as only people who fled their countries in search of refuge against persecution due to their race, religion, nationality, political opinion, or belonging to a certain social group. Such environmental factors as the rise of the sea level, intrusion of salinity, floods, and disasters associated with climate are not discussed in this definition. Consequently, the people displaced by climate change and international border crossers lack access to the formal protection of refugees. Even though the international agencies such as UNHCR and IOM have acknowledged climate mobility as a major problem, the existing international context has provided non-binding or advisory solutions without the power of legal support.

Table 1: International law against climate displacement

Legal Instrument	Climate Displacement Recognition	Protection Scope
1951 Refugee Convention	No	Protection restricted to displacement due to persecution
1967 Protocol	No	Geographic expansion, but not definition of refugee
UNHCR Soft-Law Guidance	Partial	Recommendations on climate mobility on an advisory basis
Global Compact on Refugees (2018)	Limited	Non-binding policy framework

As Table 1 shows, despite the growing recognition of the concept of climate displacement in international policy circles in recent years, the key legal frameworks that govern the protection of refugees are not legally based on climate-related displacement. Such a limitation of the doctrine introduces a loophole in the law so that climate migrants do not have access to formal refugee status or other related protection.

4.2 Coastal South Asia: Carrying Capacity of Governance

The second phase of analysis was on the governance reaction of the climate vulnerable coastal areas of Bangladesh, eastern India, and Sri Lanka. When comparing the policy of all three countries, it can be seen that all of them have implemented policies to address climate adaptation and managing disasters, but the level of institutional ability to provide protection measures is different. Bangladesh has already formulated some national climate frameworks, including the Bangladesh Climate Change Strategy and Action Plan, but these are yet to be implemented with a lack of local administrative capacity and funds. In eastern India, the governments of disaster management deal with emergency response, but climate migration is considerably not considered in long-term planning. Sri Lanka has policies for managing the environment risks along its coastal areas; the implementation of these policies has a big difference between the local districts.

Table 2 Comparative governance capacity in South Asiatic coastal

Country	Policy Framework Strength	Institutional Capacity	Implementation Effectiveness
Bangladesh	Moderate	Limited	Weak
India (East Coast)	Moderate	Moderate	Moderate
Sri Lanka	Emerging	Moderate	Moderate

Table 2 presents a comparison of the governance capacity in the three regions of the case study coastal. Evaluation shows that despite the presence of climate adaptation policies in the region, there is an unequal institutional capacity and implementation of policies in the region, especially in Bangladesh, where local governance institutions have more resources constraints. The figure 4 is representing governance capacity of climate displacement protection, which is based on legal recognition, governance capacity, and protection access (scaled out of 0-5). Sri Lanka has the highest score in all the variables, which is the presence of stronger legal and institutional frameworks, whereas Bangladesh is the lowest in the protection access, which means weak governance and support mechanisms available.

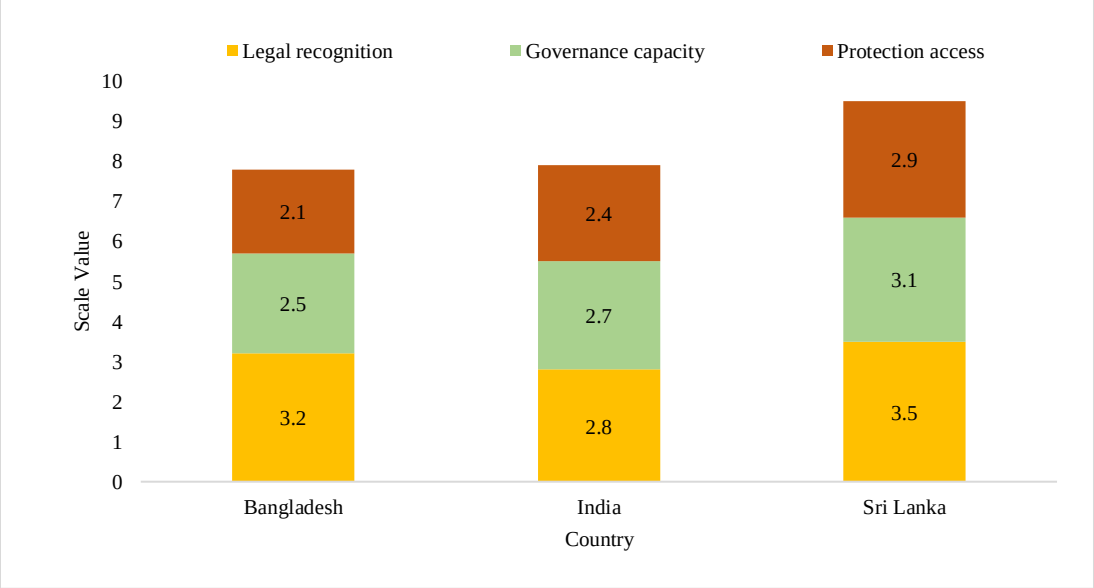

Fig. 4 Relative capacity of governing climate displacement in South Asia

4.3 Causes of Displacement due to climate changes

Thematic analysis of climatic risk evaluation and disaster narrative showed that a range of environmental factors motivated displacement in South Asian coastal regions. The most important of these are cyclones and flooding, which are the most important causes of displacement, especially in the Bay of Bengal area, where extreme weather occurrences frequently take place.

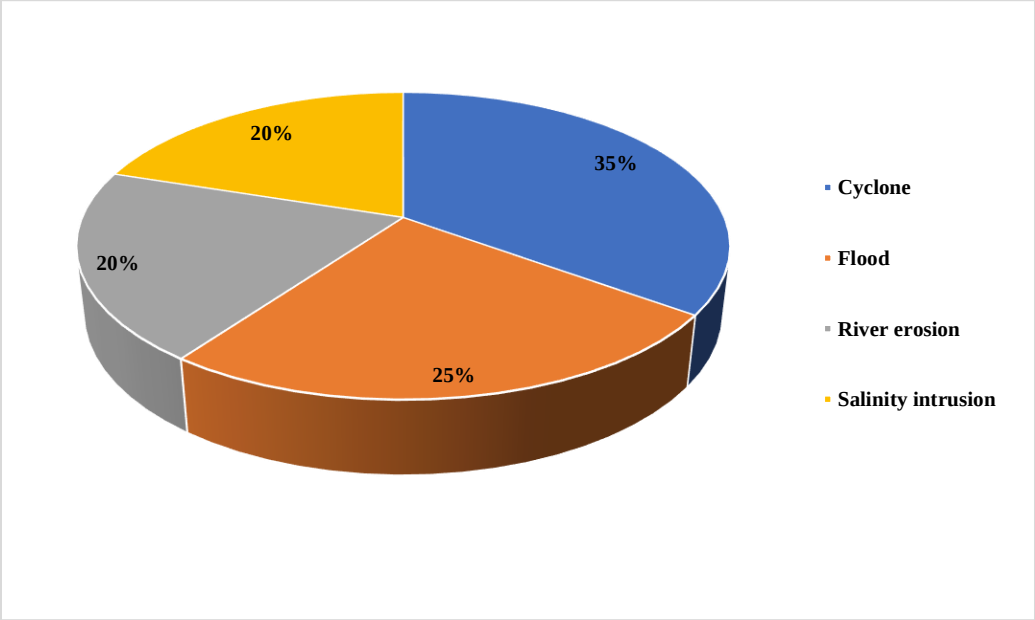

Fig. 5 Major causes of displacement caused by climatic factors in coastal South Asia

Figure 4 shows the extent to which various environmental risks have contributed to climate displacement. The highest percentage (35%) of displacement incidents is due to cyclones, which is then succeeded by flooding, erosion of rivers, and intrusion of salinity. These observations establish the main part of the extreme weather conditions and gradual environmental deterioration in developing the migration patterns in the coastal South Asia.

4.4 Anthropogenic Barriers to Climate Displacement Protection

The thematic policy analysis has also determined a number of institutional barriers which restrict the effectiveness of climate displacement governance. These barriers are institutional weakness of the legal system and bureaucracies which are tasked with the responsibility of implementing the climate adaptation policy. Table 3 provides a summary of the key governance barriers that were found in the analysis. Such institutional constraints also have a direct impact on the disintegration of the protection systems, where the duty of governing climate displacement is divided among various agencies, devoid of concrete coordinating mechanisms.

Table 3: The institutional obstacles to climate displacement protection

Barrier	Description
Legal invisibility	Climate migrants do not exist within the framework of the refugee law.
Institutional fragmentation	Multiple agencies are involved in overlapping responsibilities.
Resource constraints	Financial and administrative limitations
Policy incoherence	Poor connection between climate, migration, and disaster policy

Figure 6 shows the perceived severity of the governance barriers identified by policy gap analysis. The most influential limitation is legal invisibility, as the people who have been displaced by climate are out of the formal system of protection of refugees. Also, significant impediments to the successful implementation of policies are institutional fragmentation and resource constraints.

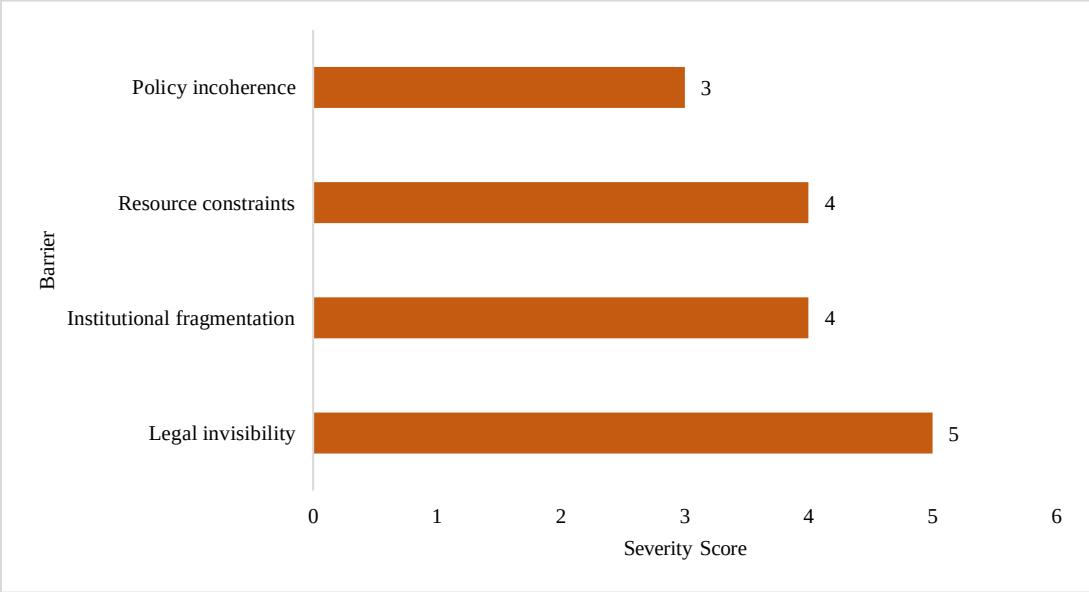

Fig. 6 Institutional barriers intensity

4.5 Displacement Climate in South Asia

According to empirical findings by the Internal Displacement Monitoring Centre (IDMC), more and more people are being displaced by catastrophes associated with climate in South Asia. The most prevalent causes of displacement in Bangladesh and eastern India are floods, cyclones, and river erosion, and in Sri Lanka, coastal erosion and storm surges.

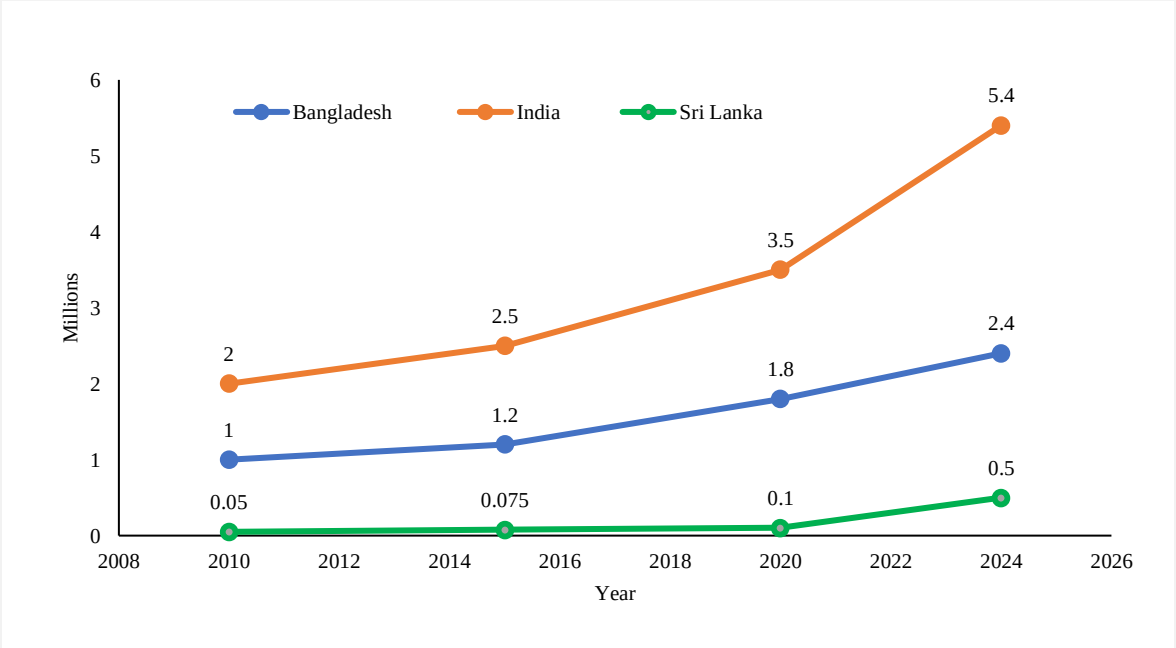

Fig. 7 Climate (2010-2025) Displacement pattern of South Asia

As shown in Figure 7, climate displacement has been rising consistently in the region over the last ten years. According to the graph, it can be seen that displacement has increased gradually in the past 15 years in the countries of South Asia, and India has the greatest number of displaced individuals.

5. Discussion

The results of the research indicate that there exists a considerable gap in protection in climate displacement governance. This situation has been mainly caused by the lack of contact of international refugee law with the local governance systems. The 1951 Refugee Convention and the 1967 Protocol do not acknowledge the displacement caused by climate change, which means that climate migrants are now legally invisible (Benhabib, 2020; UNHCR, n.d.). Such a legal deficiency exposes the displacement populations to exploitation and a lack of proper interventions by national governments due to the lack of legal protection by the international laws. Although international frameworks, including the Global Compact on Refugees (2018), have certain guidance, they do not have the binding power, which only adds to the issue (Arnold-Fernández, 2023).

The disjointed rule over Bangladesh, India, and Sri Lanka is very significant in the protection gap. Several national policies are in place, but they are not well implemented because of institutional constraints, which include duplication of mandates, scarcity of resources, and division of jurisdictional roles. Bangladesh is a good example of a country with a strong climate change strategy, but with poor local governance systems that negatively affect its effectiveness. On the same note, although Sri Lanka has developed in relation to the management of coastal areas, it has demonstrated challenges in the application of the policies and, in particular, rural areas (Md. S. Ahmed et al., 2025; Ottop et al., 2025).

The governance failures affect the climate-displaced communities by not offering them the required safeguards, including resettlement services, legal services, as well as livelihood resources. These bleak failures compel the displaced people to informal settlements where they hardly get access to basic services, making them more vulnerable to poverty, gender-based violence, and child labor. Further, institutional fragmentation brings about policy incoherence as suggested by the past research, and climatic migrants have no explicit legal framework to guide them in their displacement (Arnold-Fernández, 2023).

The most important themes of this study, such as fragmented governance, invisibility of climate migrants in the law, and institutional constraints, resonate with the findings of other studies on the topic of climate migration, such as McAdam (2012) and Renaud et al. (2018), who propose that the existing legal and institutional provisions are not sufficient to meet the challenges of climate-induced displacement (Naser et al., 2019). The study supports their claim that solutions to the issue of climate migration need to be based on a comprehensive approach in which international law change and local governmental empowerment are combined.

5.1 Policy Implications

In order to overcome the protection gap that was revealed in the present study, the following policy measures may be suggested:

Regional Climate Displacement Framework: South Asian nations such as Bangladesh, India, and Sri Lanka are expected to come up with a regional approach to address cross-border climate displacement with the provision of temporary protection and a set of standard procedures.

Enhance Local Governance Capacity: Empower the local governments with greater financial resources and better coordination, and train them on technical skills to successfully implement climate migration policies and mitigating disaster risks.

Incorporate Climate Migration into Refugee Law: Climate displacement must be officially codified in the international refugee law, perhaps by one or more binding protocols to the UN Refugee Convention or regional agreements that deal with particular problems in South Asia.

Such policies can contribute to developing a more concerted strategy, giving legal and practical aid to climate-displaced people.

6. Conclusion

This paper points to a major gap in protection in the way South Asia is addressing climate displacement, highlighting the difference between the international law frameworks and domestic governance systems. Although the 1951 Refugee Convention provides protection to displaced individuals because of persecution, climate-related displacement is not included in the protection, meaning that millions of climate migrants are not legally recognized or given any protection. The paper points out how a lack of mainstream governance in Bangladesh, India, and Sri Lanka, where national policies on climate displacement are present but are subsequently stifled by institutional constraints and policy inconsistency at the local government. The results highlight a pressing need to reform the laws to deal with climate migration in international law and the necessity to consolidate local governance in order to effectively address the displacement caused by climate change. Inter-regional collaboration between the South Asian countries is crucial in creating a unified approach to climate migration so that the displaced population is given sufficient care and assistance. Longitudinal research is the way forward in the future, and the emphasis should be on climate displacement pattern with the institutional roles played by the region in delivering to the migration caused by climate. Furthermore, research on the efficacy of regional structures in protecting climate displacement would be an informative policy maker in the attempts to tackle the increasing phenomenon of climate displacement in South Asia.

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