

Mr. Islam Mitwalli

Administrative Prosecutor, Lecturer of law at BUE
& PhD Candidate

Reimagining Statehood: Toward Digital Existence of the Climate–Deterritorialized States (CDSs)

■ **Correspondence:** Mr. Islam Mitwalli

Administrative Prosecutor, Lecturer of law at BUE
& PhD Candidate

■ **DOI:** 10.54873/jolets.v5i2.243

■ **E-mail:** Islam.Mitwalli@bue.edu.eg

■ **Citation:** Islam Mitwalli
Reimagining Statehood: Toward Digital Existence of the
Climate–Deterritorialized States (CDSs)
Volume 05, Issue 02 October 2025

Abstract

This study examines whether a State can preserve its international legal personality and sovereign functions when territorial presence becomes impossible, and whether digital infrastructures can serve as an ex-situ platform for continuity. Drawing on Portmann's theory of international personality, Crawford's doctrine of state continuity, and Talmon's analysis of governments-in-exile, the article argues that international law has long located statehood in identity, attribution, and institutional capacity rather than in physical geography.

Building on contemporary practice -including the ILC's work on sea-level rise, ITLOS's advisory opinion, and the Falepili Union Treaty- the paper proposes an operational model for "digital existence" grounded in three requirements: verifiable identity, reviewable records, and reproducible sovereign functions. The analysis shows that a State's legal existence can be maintained ex-situ through a digitally reviewable architecture, provided its institutions, archives, and decision-making processes remain externally testable.

The article concludes that digital statehood is not a departure from classical doctrine but a structurally consistent extension of it, offering a viable pathway for continuity in an era of climate disruption and technological acceleration.

Keywords: Deterritorialized states, climate change, digital existence, E-sovereignty, E-nationality, right to life, right to nationality, international law, emerging technologies.

Introduction

Nations **-like individuals-** claim not only the right to life but the right to continue. As Ernest Renan framed it, people's existence rests on an ongoing, collective act of will, a daily plebiscite that affirms its being and projects it forward in time.¹ That normative horizon does not evaporate merely because geography recedes. Today, sea-level rise forces international law to confront a hard case: **Climate-Deterritorialised States (CDSs)**, polities whose territories are rendered uninhabitable or submerged, yet whose communities, institutions, and claims to personality endure.

Classical doctrine places territory among the qualifications of statehood under the Montevideo formula, alongside a permanent population, government, and capacity to enter into relations with other States. Read superficially, the loss of a habitable landmass appears to threaten the very existence of statehood. But the law's deeper history and practice counsel caution: state continuity has long survived dramatic dislocations **-occupation, exile, and forced displacement-** so long as a legal and institutional identity persists and is recognised.² The problem, then, is not whether a people may outlive a shoreline; it is how international law can operationalise that continuity ex-situ without sacrificing coherence or fairness.³

1 Ernest Renan, "What Is a Nation?" (1882), in *What Is a Nation? And Other Political Writings*, ed. M. F. N. Giglioli (Columbia University Press 2018), pp. 252–253, 257–259 (on the nation's right to persist as a political community through collective will "a nation's existence is a daily plebiscite." It is worth noting that Renan's "daily referendum" justifies demands for continuity as a collective existential right, even when material carriers change.

2 Convention on Rights and Duties of States (adopted 26 December 1933, entered into force 26 December 1934) 165 LNTS 19, art 1; James Crawford, *The Creation of States in International Law* (2nd edn, OUP 2006), chs 1–3, 16–17, esp pp. 672–676 (continuity despite territorial loss) and pp. 700–703, 715–716 (presumption of survival). The territorial condition in Montevideo was established to regulate definition, not to eliminate continuity, as long as institutional identity and recognition remained; this is where Crawford's "presumption of continuity" appears.

3 For the ex-situ operationalisation frame generally, see International Law Commission (ILC),

This research paper argues that CDSs can **-and should-**maintain continuity notwithstanding territorial loss, provided international law acknowledges a carefully designed model of digital statehood. My claim is not that “e-government” alone suffices. Rather, digital statehood denotes a comprehensive institutional architecture through which a State exercises public authority at a distance: civil registries and nationality records; courts and due-process guarantees; elections and representation; public archives and cultural patrimony; secure data-protection and cyber-defence; and, crucially, the preservation of maritime entitlements anchored in emerging practice. Two developments already point the way. First, the scientific baseline is now firm: IPCC AR6 documents robust trends in global mean sea-level rise and the associated risks to low-lying islands over the coming decades.⁴ Secondly, states and experts are re-reading the law in response: the International Law Commission has taken up sea-level rise “in relation to international law”, while Pacific States have articulated a practice of preserving maritime zones notwithstanding physical shoreline regression.^{5 6} These moves do not resolve every question, but they open a doctrinal corridor through which CDSs may walk without falling into legal

‘Sea-level rise in relation to international law’ (Study Group reports 2023–2025) UN Doc A/78/10 (overview). Para. 4. The International Law Commission’s reading of the subject divides the issue into three operational axes: the law of the sea, the state/personality, and the protection of persons—all of which provide legal pathways for continuity outside the territory.

4 IPCC, *Climate Change 2021: The Physical Science Basis. Summary for Policymakers* (Cambridge University Press 2021) B.4–B.5; IPCC, *AR6 Synthesis Report: Summary for Policymakers* (IPCC 2023) C.2 (sea-level rise outlook).

5 ILC, ‘Sea-level rise in relation to international law’ (n 3) Part II (scoping effects on the law of the sea, statehood, and protection of persons) paras 35–41, 49–52, 58. The scientific basis is solid: the rates of average sea level rise and the widening risks to low-lying islands are not a theoretical prediction but a documented trend.

6 Pacific Islands Forum (PIF), ‘Declaration on Preserving Maritime Zones in the Face of Climate Change-related Sea-Level Rise’ (11 August 2021) (states’ intention to preserve baselines/zones “without reduction”). The Pacific Islands Forum’s declaration of “no reduction” breaks the duality of loss (land + sea) by preserving marine areas despite the regression of the coastline.

void.

The stakes are human as much as legal. If continuity is ignored, entire populations could be juridically orphaned stripped of nationality, political voice, and the protective canopy of international responsibility.⁷ A minimal justice toward climate-vulnerable peoples demands more. International law must translate the moral claim -**what Renan would call the right to exist**- into workable legal mechanisms that protect persons, preserve institutional identity, and maintain a State's capacities in the community of nations. As a lived signal of the future, Tuvalu's digital-nation initiative has already begun to preserve culture, archives, and symbolic presence online, an evocative gesture that underscores urgency, even if not itself a complete legal settlement.⁸

This article proceeds in four steps. Part ⁽ⁱ⁾ revisits territoriality and statehood, separating history from mythology (including over-hard readings of Westphalia) and foregrounding continuity as a structuring principle.⁹ Part ⁽ⁱⁱ⁾ maps the core challenges for CDSs -**sovereignty (internal and external), international legal personality, and nationality**- indicating where existing rules bend and where they break. Part ⁽ⁱⁱⁱ⁾ advances the heart of the proposal: from e-government to digital statehood, offering a granular blueprint for jurisdiction online, adjudication, elections, registries, archives,

7 On the right to nationality and against arbitrary deprivation: UDHR art 15; ICCPR art 24(3); ICERD art 5(d)(iii).

8 Lucy Craymer, 'Tuvalu turns to the metaverse as rising seas threaten existence' Reuters (15 November 2022). Tuvalu's Digital Initiative, announced by Prime Minister Simon Kofi, is not a final legal settlement, but a living signal for the future and a "proof-of-concept" for a continuity that is communicable and understandable across the infrastructure.

9 Derek Croxton, *Westphalia: The Last Christian Peace* (Palgrave Macmillan 2013) ch 1 (on avoiding essentialising "Westphalia"). Westphalia is not an absolute starting point for modern sovereignty; rather, it is a layer within a historical accumulation avoiding historical mythology here keeps us on the ground of law, not story.

data and cyber governance, and hosting/recognition arrangements with third States. Part ^(IV) concludes with recommendations for treaty practice, UN processes, and regional initiatives capable of securing ex-situ continuity while guarding against new forms of exclusion in the digital sphere.

Chapter 1

Rethinking Statehood: Identity, Continuity, and the Limits of Territory

Let us begin with the ordinary point: territory frames the State, but it is not its whole substance. Territoriality admits multiple meanings depending on the disciplinary path. In physical or regional studies, it may denote an area with certain climatic or geological traits, or a political grouping of adjacent countries in a given geographical zone. In the legal context, it ordinarily means a fixed and specific area of land that **-together with people and public authority-** allows a State to emerge and persist.¹⁰ Classic teaching assumes three spatial dimensions of territory: land, waters, and airspace.¹¹ With this intuitive legal frame, this chapter discusses the elements relevant to climate-deterritorialized States (CDSs) in the sections that follow. As territory simplifies the picture, continuity restores the necessary complexity on the State's side, not against it.

1.1 CDSs and the territorial status quo

CDSs do not deny statehood; they reorder its elements under unprecedented climate pressure. Since territoriality remains a basic pillar in accepting the establishment or continuation of a State

¹⁰ Montevideo Convention (n 2) art 1.

¹¹ Malcolm N Shaw, 'Territory in International Law' (1982) 13 *Netherlands Yrbk Intl L* 61, 62–65.

-alongside people and power- we usually define any existing State as a political structure built on a geographical piece through the will of a people.¹² The notion of CDSs unsettles this picture: it posits a State without habitable territory, or with territory rendered uninhabitable. The expression deterritorialized States entered academic debate in the last decade to address drowned or uninhabitable countries due to sea-level rise, including those already experiencing dramatic coastal erosion.¹³ The term gained traction as climate change moved from an environmental stressor to a threat multiplier capable of annihilating entire polities, pressing jurists to rethink the elements of statehood and their resilience.¹⁴ In this chapter, we set out (i) the correlation between CDSs and climate change, (ii) why recognising CDSs matters in international law, and (iii) the expected nature of CDSs. We therefore treat them as a relocation of the State's seat, not a loss of its identity.

1.1.1. Correlation of CDSs and climate change

Facts outrun debate: shorelines regress, and field records leave little room for doubt. Today, several States already suffer inundation risks and loss of habitability—among them the Marshall Islands, Kiribati, Fiji, the Maldives, the Bahamas, and Tuvalu. A Fijian elder's cry **"NOBODY CAN STOP THE WATER"** captures

12 Andrew Heywood, *Key Concepts in Politics* (Palgrave 2000) pp. 38-46. In political science, "Territory" is an analytical framework that engages with society, economics, and power, not just maps and borders.

13 Ödalen, J. (2014). Underwater Self-Determination: Sea-level Rise and Deterritorialized Small Island States. *Ethics, Policy & Environment*, 17(2), pp. 134–136. "Climate-Deterritorialized States" is not a theoretical fantasy; the term emerged and crystallized academically as a response to a pressing geo-climatic reality. However, we should mention that the term originally called "climate de-territorialized nations." And we tend to call states instead of nations because we focus on the state as a legal person.

14 Meaghan Laidlaw, "Cascading Consequences of Sinking States" (2023) *Stanford Journal of International Law* 59(2), pp. 2–3, 9–11, 22–25, discussing the structural and systemic failures of international law to accommodate deterritorialized states and the cascading risks this poses to sovereign equality and legal continuity.

the lived reality of coastal loss. While distinct in geography and history, these States share the climate driver of rising seas. IPCC AR6 consolidates evidence of ongoing global mean sea-level rise and heightened risks to low-lying islands across this century.¹⁵ Legal debate on CDSs is therefore not speculative; it responds to observable change. The task, then, is not to prove the risk but to build rules that operationalise continuity against it.

A further doctrinal foothold supports continuity ex-situ. Beyond the scientific baseline, State practice and the law of the sea already accommodate stability. The Pacific Islands Forum (2021) declared that baselines and maritime zones, and the rights flowing from them, shall continue to apply “without reduction” notwithstanding climate-driven shoreline regression. Read systemically with UNCLOS rules on deposit and due publicity of charts and lists (art 16) and the “final and binding” character of outer continental shelf limits once established on the basis of CLCS recommendations (art 76(8)), the regime permits fixity of claims avoiding a double loss of land and sea. The International Law Association (2018) likewise endorsed non-recalculation on grounds of legal certainty and stability.¹⁶

1.1.2. Why recognising CDSs matters

Recognition here is not an ornamental gesture; it is the safety-valve for identity and institutions. Recognising CDSs paves

15 IPCC AR6 WGI SPM (n 4) B.4–B.5; IPCC AR6 SYR SPM (n 4) C.2. However, it is important to note that country-specific risk examples demonstrate variations in exposure and adaptive capacity; not all islands are the same in terms of vulnerability or response options.

16 IPCC (n 4). The mechanisms of fixing (maps/deposits) with the role of Commission on the Limits of the Continental Shelf reduce the dependence of maritime rights on coastal setbacks; the law here codifies “procedural stability” in the face of physical change.

the way to confer state continuity upon threatened polities as heirs to their submerged regions, legitimising their institutions before citizens and the international community. Admittedly, this contests readings of classical statehood treat territory as a rigid precondition since Westphalia. But Westphalia was a historical configuration, not a timeless axiom. International law already contains continuity tools that allowed States to survive occupations and exiles, so long as a legal and institutional identity persisted and was recognised.¹⁷ Once we cast recognition as a three-part test -**identity, recognition, functional capacity**- continuity becomes measurable rather than asserted.

For working purposes, this paper treats continuity as a three-part test rather than a metaphysical claim: (i) identity (a persisting legal-institutional persona), (ii) recognition (third-State acceptance of that persona), and (iii) functional capacity (ex-situ performance of core public functions: registries, courts, elections, archives, representation). Classical practice with governments-in-exile shows that loss of effective territorial control does not automatically erase personality where identity and recognition persist. The ILC's current work frames sea-level rise across three axes -**law of the sea, statehood, protection of persons**- which is precisely the terrain on which this test can be operationalised.¹⁸

1.1.3. Expected nature of CDSs

A State outside territory is not a virtual copy; it is a sovereign arrangement running through infrastructure. Speaking of a State

¹⁷ Crawford (n 2) chs 1–3, 16–17.

¹⁸ ILC, 'Sea-level rise (n 3) ch VIII. paras 4, 35–41, 49–52

without a (habitable) territory implies an exceptional mode of existence. The exercise of public authority will be distance-enabled: institutions will operate digitally, citizens will interact with digitally elected authorities, and inter-State relations will require hosting and recognition arrangements to anchor jurisdiction, archives, and identity. This is not a mere shift to e-government (service delivery); it is digital statehood—a comprehensive institutional architecture that preserves sovereign functions *ex-situ*.¹⁹ International law would then accommodate two patterns: territorial States and *ex-situ* (digital) States with distinct operational implications across the regime. In this sense, digital statehood is not a service portal; it is a seat of public authority re-located.

1.2. Key challenges for CDSs

The challenges are many, but law asks us to rank them by what most threatens continuity. Read historically, the CDSs debate strains against a state idea that crystallised over centuries and took a more definitive twentieth-century form after the Second World War within a well-entrenched legal order.²⁰ Rather than catalogue every difficulty **-legal, human, social, cultural-** we focus on the three that matter operationally for continuity: sovereignty, international legal personality/presence, and nationality/rights of citizens. These are treated operationally, not rhetorically: what enables authority to be exercised, personality to persist *ex-situ*, and rights to be protected.

1.2.1. Sovereignty

19 Grönlund, Å and Horan, TA, 'Introducing e-Gov: History, Definitions, and Issues' (2005) 15 Communications of the Association for Information Systems 713, 717–18, 719–21.

20 Croxton (n 9). It is essential to distinguish between “e-government” and “digital state”: the former is a service/procedure layer, the latter is a complete sovereign structure for governance outside the territory.

Sovereignty is not reducible to geography; it is exercised wherever authority is recognised. From a legal viewpoint, sovereignty is the independence of the State, including the freedom of its people to act within its jurisdiction. Disputes persist over their locus (government, law, people), but these do not dislodge the core idea. The risk for CDSs is obvious: if sovereignty is only conceived territorially, a submerged or uninhabitable territory might seem to erase sovereignty. This paper resists any doctrine of automatic extinction. Continuity doctrines and ex-situ capacities (courts, registries, elections, archives, diplomatic representation) preserve internal and external sovereignty functions where identity and recognition persist.²¹ ILC's current work on sea-level rise explicitly maps the statehood axis, opening a pathway to normative accommodation rather than erasure.²² Where identity endures and functional capacity exists, sovereignty remains plausible even if land does not.

Two anticipated objections warrant brief responses. First, the effectiveness objection: if sovereignty is tied to effective territorial control, how can CDSs claim continuity? The answer is doctrinal: continuity is a legal construct, not a plebiscite of geography. Practice with governments-in-exile and the law's tolerance for displaced authority show that personality can endure where identity and recognition do. Second, the ambulatory baseline objection under the law of the sea: if coastlines move, why should maritime zones not shrink? Here, the combined weight of UNCLOS mechanisms (deposit/publicity; finality of outer shelf limits), regional practice

²¹ ILC, 'Sea-level rise' (n 3).

²² Ibid; and PIF Declaration (n 6).

(PIF 2021 “no-reduction”), and expert authority (ILA 2018) supports stability, not as legislative fiat, but as a system-conforming reading that avoids a perverse spiral of loss.

1.2.2. International existence (legal personality)

International personality is not an attendance badge; it is the product of identity, recognition, and performance. On the international plane, States and international organisations bear international legal personality. If territorial loss were treated as a per se ground of extinction, threatened polities would fall out of the community of States. Continuity, however, allows personality to persist ex-situ where a legal-institutional identity endures and third States recognise that continuity. This is not novel: the discipline has long tolerated displaced authority. Governments-in-exile in the twentieth century retained international personality despite loss of effective control, so long as identity and recognition persisted.²³ Shoreline regression does not nullify personality so long as continuity’s elements persist and are recognised.

Building on that practice, this paper treats personality as operational: anchored in identity, recognition, and functional capacity (registries, courts, elections, archives, representation) performed ex-situ. Where those elements are present, legal personality need not collapse merely because a shoreline regresses. The ILC’s work on sea-level rise maps precisely this ground **-statehood alongside the law of the sea**²⁴

23 Roland Portmann, *Legal Personality in International Law* (Cambridge University Press 2010) chs 2–3, esp pp. 35–49 (conceptual foundations of international personality) and pp. 67–82 (criteria for personality; identity/recognition debates); Stefan Talmon, *Recognition of Governments in International Law: With Particular Reference to Governments in Exile* (Oxford University Press 1998), pp. 27–30 (on the conditions under which governments-in-exile retain legal recognition and continuity despite loss of territorial control).

24 ILC, ‘Sea-level rise...’ (n 3).

and protection of persons- inviting doctrinal accommodations that preserve continuity rather than precipitate extinction.

1.2.3. Citizens' rights (nationality and beyond)

The first bond to fray when continuity is denied is nationality and with it, protection. Without continuity, nationals of submerged States risk statelessness or precarious substitute statuses that unravel political voice and access to protection. International instruments already safeguard a right to a nationality and protection against arbitrary deprivation a baseline articulated in UDHR art 15 and reinforced in ICCPR art 24(3) and ICERD art 5(d)(iii).²⁵ To fortify that baseline against climate-driven displacement, the 1954 Convention Relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness provide additional normative anchors on status, documentation, and prevention of statelessness.^{26 27} Hence, our first-line tools: ex-situ digital civil registries and consular nationality, with protection regimes as supplements, not substitutes.

Accordingly, this paper prioritises ex-situ digital civil registries (births, marriages, deaths, nationality records) and consular nationality mechanisms as the primary tools for preserving the legal bond between State and citizen. In practice, that means

25 UDHR; ICCPR; ICERD (n 7). Under UN instruments, the right to a nationality and safeguards against arbitrary deprivation are firmly recognised: UDHR art 15; ICCPR art 24(3) (child's right to acquire a nationality); ICERD art 5(d) (iii); CEDAW art 9 (equality in conferral, retention and change of nationality); CRC arts 7–8 (name, registration and nationality).

26 Convention Relating to the Status of Stateless Persons (adopted 28 September 1954, in force 6 June 1960) 360 UNTS 117. It should be noticed that the Convention provides a “ground of protection” for stateless persons; however, it is not a substitute for maintaining nationality records through reliable digital records.

27 Convention on the Reduction of Statelessness (adopted 30 August 1961, in force 13 December 1975) 989 UNTS 175. The essence of the Convention is to prevent the widespread production of statelessness; civil ex-situ records are a direct preventive tool to achieve this purpose.

remote issuance and renewal of passports/IDs; due-process safeguards for nationality acquisition and loss; MOUs with host States on recognition of documents and civil status; and layered data-protection/cyber-security to secure the registries themselves. Complementary pathways, confederation or climate-specific protection statuses—can mitigate hardship, but they should supplement rather than replace continuity-based nationality where identity and recognition persist. See also the ILC’s “protection of persons” strand in its sea-level rise work, which frames these measures within the broader continuity agenda.

1.3. Potential new features of CDSs

What follows is not a tech wishlist but an institutional survival kit that preserves jurisdiction and identity. Read as a whole, the “features” of CDSs are less a technological wishlist than an institutional survival kit designed to preserve jurisdiction, identity, and protection outside a habitable landmass²⁸. In practical terms, this points to (i) digital existence that secures archives, civil status, culture, adjudication and representation online²⁹; (ii) e-government as a service layer within a broader architecture of digital statehood³⁰; and (iii) technology as a structural pillar, backed by hosting and recognition compacts with third States (data centres, immunities for public archives), data-protection and cybersecurity regimes, and arrangements that keep maritime entitlements stable notwithstanding shoreline regression³¹. None of this replaces

28 ILC, ‘Sea-level rise’ (n 3).

29 Craymer (n 8).

30 Grönlund & Horan (n 19). Tuvalu’s digital initiative reveals a living “proof of possibility”: preserving culture, archives, and symbolic presence is not about beautification, but rather about paving the way for an institutional understanding of continuity.

31 UNCLOS (n 16) arts 16, 76(8). The “without reduction” formula breaks the duality of loss (land +

territory; it operationalises continuity ex-situ within existing law and emerging practice.

1.3.1. Digital existence

The evidence starts in practice: preserving culture and records online is more than symbolism. The idea of digital existence is not foreign to philosophy or anthropology; its legalisation is newer and still consolidating. As a matter of policy and symbolism, Tuvalu's digital-nation initiative already preserves culture, records, and presence online; no final legal settlement, but a lived signal of institutional direction and a proof-of-concept that continuity can be rendered intelligible and communicable beyond a shrinking shoreline.³² Where courts sit, registries function, and representation occurs **-even online-** the State is present.

For CDSs, digital existence would encompass institutions, bodies, sovereign acts, public culture, and archives, transitioned to secure digital infrastructures with verified identity, due-process guarantees, and cyber-defence. The point is not theatrical novelty; it is the operational translation of statehood ex-situ, where jurisdiction can be exercised, records remain authoritative, and representation is recognised.

1.3.2. E-government (as a tool, not a substitute)

A State endures where law binds, records hold, and officials answer under recognised authority. E-government preceded the present moment and proved valuable **-not least during COVID-19-** in enabling remote administration, service continuity, and document

sea) and keeps the state with a legal foothold in the sea despite the receding coastline.

³² Craymer (n 8).

workflows at scale across different legal systems.³³ Its promise lies in routinising digital service delivery while preserving legality, accountability, and traceability.

For CDSs, e-government is a subset of digital statehood, the service layer within a broader sovereign architecture that also covers jurisdiction online, adjudication, elections, civil status, archives, and external representation. Service continuity is valuable, but sovereignty requires a coherent ex-situ jurisdiction in which adjudication is possible, registries are authoritative, and representation is recognised.

1.3.3. Technology as a structural pillar

When infrastructure becomes the seat, technology turns into part of the State's working constitution. For CDSs, technology is not merely regulated by law; it becomes structural as the substrate on which public authority is exercised, secured, and made legible. That shift requires hosting agreements with other States (jurisdiction over data centres; immunities for public archives), data-protection frameworks, PKI-based identity, and redundant storage and routing to avoid single points of failure. With hosting compacts, immunities, digital identity, and redundancy, technical fragility becomes managed risk, not an existential threat.

This is not technological fetishism; it is institutional survivability. The architecture must ensure that sovereign acts remain verifiable, that records remain authentic and available, and that citizens can transact rights—**from nationality confirmations**

³³ Bo Peng, 'Digital Leadership: State Governance in the Era of Digital Technology' (2022) *Cultures of Science*. The value here is not in the technical demonstration, but in making the world understand that continuity can be seen and reviewed across the infrastructure.

to judicial remedies—despite the absence of a habitable landmass.

Chapter 2

Sovereignty and Legal Personality Beyond Territory: Recognition, Institutions, and the Architecture of Continuity

Continuity is empty talk unless it is carried by sovereignty. The question for CDSs, then, is not whether sovereignty can survive outside territory, but how it is exercised, recognised, and made reviewable ex-situ.

2.1. Sovereignty as a core concept practiced

In legal analysis, sovereignty works best when treated as a practice rather than a slogan: it is the State's capacity and entitlement to exercise public authority independently, internally over persons and things, and externally within the community of States.³⁴ Historically, the concept travelled from princely will through layered feudal intermediations to popular sovereignty and constitutional government; the upshot is not a single essence, but a family of doctrines that organise authority, legality, and legitimacy.³⁵ Contemporary doctrine and practice distinguish internal sovereignty (rule-making, adjudication, enforcement under law) and external sovereignty (independence, equality, non-intervention), and they acknowledge *de jure / de facto* and recognition-sensitive facets.³⁶

34 Crawford (n 2) chs 1–2. Hosting/recognition compacts transform sovereignty into a practice that can be operated outside the territory: a clear distribution of jurisdiction over data centers, “immunities” for the public archive, and recognition of the effects of civil records, judgments, and elections.

35 Croxton (n 9). Personal identity verification (PKI) and “tracking by design” are not technological luxuries, but rather procedural requirements for fair elections, an auditable judiciary, and binding records. E-government literature views it as a service and record-keeping layer; here, it is elevated to a sovereign structure that preserves continuity.

36 36 Portmann (n 23), pp. 1–4, 7–9 (on the function of international legal personality as a filter for

For CDSs, an operational test is decisive. The question is not “where” sovereignty sits, but whether authority can be exercised with legality and due process, whether decisions bind persons and entities, whether representation speaks for a people under accountable procedures, and whether third States can recognise and interact with that authority *ex-situ*.³⁷ If the answer is yes, then sovereignty persists as a function carried by institutions and recognition, even as the territorial platform recedes. The chapter develops that functional reading and applies it to three pressure points.

2.2. Problems raised by the absence of sovereignty

Territorial disappearance tempts a priori conclusion extinction. Yet neither doctrine nor practice requires that leap. The analytic task is to identify which sovereign functions fail as territory recedes and how those functions can be re-platformed without sacrificing legality or fairness³⁸. The risk is a cascade: loss of effectiveness invites doubts about international legal personality; fragility of consent undermines legitimacy; uncertainty about maritime entitlements compounds material loss. A functional approach breaks the cascade by asking three operational questions: can the State exercise authority under law; can it maintain international personality/presence through institutional continuity and recognition; and can it secure nationality and related rights for its people *ex-situ*? The following sections take each in turn and specify design choices that preserve continuity.

relevant actors and the absence of a centralized ‘law of persons’).

37 ILC, ‘Sea-level rise...’ (n 3)

38 Talmon (n 23), pp. 117–136, 173–184 (on the role of recognition in enabling governments in exile to conclude treaties and exercise international representation as a condition for the international enforceability of their acts).

2.2.1. International legal personality/presence

International personality attaches to the institutional and legal identity of the State, not to soil as such.³⁹ Practice with governments-in-exile illustrates that identity and capacity can persist when territory is occupied or governance displaced, so long as institutions endure and third States extend recognition.⁴⁰ Read together with the ILC's work on sea-level rise, this supports ex-situ continuity where a CDS preserves effective institutions (constitutional texts, courts, civil registries, representation), maintains authoritative records (archives, nationality rolls), and secures external recognition sufficient for international action.⁴¹

Personality is not reducible to territory; it is a legal status sustained by identity and recognition. For CDSs, the practical question becomes one of design: (i) hosting and recognition compacts that anchor jurisdiction over data centres and grant immunities for public archives; (ii) stable baselines and maritime entitlements that avoid cascading loss notwithstanding shoreline regression;^{42 43} and (iii) procedures for treaty action, representation, and responsibility that keep the State legible in international practice. Each element translates the abstract notion of personality into operable criteria ex-situ.

³⁹ Portmann (n 23), pp. 35–49, 67–82.

⁴⁰ Talmon (n 23)

⁴¹ ILC, 'Sea-level rise in relation to international law' (n 3), paras 42–48. The division of the International Law Commission into: Law of the Sea/State-Personality/Protection of Persons, allows practical pathways for designing ex-situ continuity.

⁴² PIF Declaration (n 6)

⁴³ UNCLOS (n 16)

2.2.2. Legal and political legitimacy

Legitimacy is the governed's acceptance of authority under law; its content varies, but procedurally it turns on consent, accountability, and review.⁴⁴ Territorial disappearance disrupts ordinary cycles of consent -**elections, participation, adjudication of disputes**- and risks sliding into emergency-style governance. The remedy is institutional, not rhetorical: design ex-situ elections with verifiable digital identity (PKI), diaspora participation and accessible modalities, auditable rolls and results, due-process guarantees for challenges, and independent oversight embedded in bilateral or multilateral arrangements capable of recognising effects erga omnes partes⁴⁵. Under such a design, internal sovereignty is expressed digitally yet remains reviewable. Courts sitting online issue reasoned decisions; administrative acts leave traceable records; and legislative or representative bodies operate under publicity and accountability rules adjusted for distance. What changes is the platform- **from land to infrastructure**- not the principle that authority must be law-governed and consent-responsive.

2.3. Towards a new era of sovereignty (E-sovereignty)

A State outside territory is not a virtual replica; it is a sovereign order routed through infrastructure. E-sovereignty names that order: jurisdiction exercised online; courts that sit and issue reasoned, reviewable decisions; elections and representation; civil registries and nationality; archives and culture; and external

44 Ashcraft, *Revolutionary Politics and Locke's "Two Treatises of Government"* (Princeton UP 1986) [pp xx–yy] (or your preferred Locke/Ashcraft source).

45 Grönlund & Horan (n 19). E-government is a layer of services and procedures (workflows/records) within a broader sovereign architecture; it is not a substitute for digital statehood.

relations. All are anchored in hosting and recognition compacts that allocate jurisdiction over data centres, provide immunities for public archives, and secure resilient connectivity.^{46 47 48} The architecture also requires redundancy (mirrored infrastructure across trusted hosts), data-protection and cyber-defence regimes, and traceability-by-design to preserve the rule of law ex-situ.

This is not e-government; it is digital statehood, a comprehensive institutional design that preserves sovereign functions ex-situ. International law would then recognise two patterns: territorial States and ex-situ (digital) States, with distinct operational consequences across the regime.⁴⁹ The test remains constant: authority lawfully exercised, identity preserved, and recognition secured. What shifts is the seat of public authority **-from land to infrastructure-** without abandoning the commitments of legality and accountability that define sovereignty. Continuity without territory is not a paradox; it is a design choice international law can implement.

Chapter 3

Digital Existence as Operational Statehood: A Framework for Ex-Situ Sovereign Functions

In this chapter, we are going forward to lay out a practical blueprint for keeping state functions running ex-situ. It moves

46 ILC, 'Sea-level rise in relation to international law' (n 3) paras 149–152, 215–219. The emerging practice requires procedural caution: record-keeping, traceability, and assignment of jurisdiction through hosting and recognition agreements.

47 PIF Declaration (n 6)

48 UNCLOS (n 16)

49 Crawford (n 2), chs 1–3, 16–17, esp pp. 672–676 (identity & continuity) and pp. 700–703 (state survival despite radical change). The presumption of continuity works as long as the institutional identity is preserved; what changes is the platform (from land to structure), not the principle of legitimacy and accountability.

function-by-function -**jurisdiction, due process, recognition**- so the legal thread stays visible end to end.

3.1 Premise and method

The core idea is simple: we keep the State working from outside territory when territorial exercise becomes impossible due to climate change. The International Law Commission sketches the field through three axes; Law of the sea, state/personality, and protection of persons, not as mere theory but as an operational map of what can be done now within existing law⁵⁰. The practical question is: which functions, if they fail, would sink statehood? The answer: enforceable public authority (legislative/judicial/executive under oversight), international legal personality, and protected individual rights, even if the platform shifts from land to digital infrastructure.⁵¹

Methodologically, we proceed function by function. We first establish a basis for jurisdiction online (how and why authority attaches), then due-process guarantees (how we are held to account), then a recognition hook that turns digital acts into legal effects ex-situ (how third States see and accept them). We insist on not conflating digital statehood (a reviewable sovereign architecture) with e-government (a service layer): the former safeguards sovereignty in an auditable form; the latter organises service delivery only.^{52 53}

3.2. Online jurisdiction (legislative / judicial / executive)

50 International Law Commission, 'Sea-level rise in relation to international law — Final report of the Study Group' UN Doc A/80/10, annex I (2025) paras 4, 8–10, 24–25.

51 Crawford (n 2), chs 1–3, esp pp. 1–24 (foundations of statehood) and pp. 55–95 (territory and effectiveness).

52 European Commission for Democracy through Law (Venice Commission), Code of Good Practice in Electoral Matters (2nd revised edn, 2020).

53 Grönlund & Horan (n 19).

Legislative: publish norms in an authenticated official gazette (qualified signatures/seals and timestamp) and bind the publication copy to the drafting record via hash chains that show amendment history—so “knowledge of law” is built into the system, not left to institutional goodwill⁵⁴. This enables later review of provenance and procedural legality. Judicial: hearings with strong identity (PKI), real publicity (stream/transcripts), reasoned decisions with appeals. Executive: orders signed and machine-verifiable, traceable to a public mandate, and preserved under a records law.⁵⁵

To separate what has legal effect from what does not, we propose an A³ test for any extra-territorial sovereign act, applied in this order. Authenticity asks whether the act is provably the State’s: a qualified e-signature or seal, a trusted timestamp, and a provenance log that ties the published instrument to its drafting record; where a human signature is used, authentication is backed by consular attestation and a records-law chain of custody⁵⁶. Authority asks whether a competent organ acted under a clear, published legal mandate—on a constitutional or statutory basis, with any delegation duly recorded, and without acting ultra vires. Auditability asks whether a court or a third State can independently verify the chain from drafting to publication to execution through public dockets, reproducible evidence (for example, hash anchoring), and retention rules that allow inspection. Failure on any leg determines the consequence: if authenticity fails because a signature cannot be verified, the act has no external effect unless cured by re-issuance with a valid signature

54 United Nations, E-Government Survey 2024 (UN DESA 2024) 22–23, 54.

55 ILC, ‘Sea-level rise — Final report’ (n 50) paras 38, 42, 51–52; Portmann (n 23); Talmon (n 23).

56 ‘Chain of custody’ denotes a verifiable, unbroken record of possession and handling (from creation to use, ensuring provenance and integrity through trusted timestamps, qualified signatures, hash anchoring, and auditable access logs).

and timestamp; if authority fails because a legal basis is missing, the act is void or must be ratified or confirmed by the competent organ; if auditability fails because the record is opaque, the effect is suspended until the file is supplemented to restore verifiability. The point is not to fetishise technology but to keep the yardstick legal and reviewable: cryptography and logs evidence process, they do not replace competence, mandate, or judicial scrutiny.⁵⁷

3.3. Courts and due-process guarantees

The metric here is procedural certainty, not mere technical capacity: authenticated service, strong identity (PKI with a consular fallback for those without digital means), real publicity (open access to hearings/briefs), and reasons sufficient for review. Equality of arms is maintained through public dockets, time-stamped filings, and tools that let the defence inspect and challenge evidence⁵⁸. Digital evidence is handled through a clear chain of custody (hash anchoring + reproducibility), so the admission standard is verifiability, not the medium per se⁵⁹.

After ITLOS 2024, greenhouse gases are treated as marine pollution, creating duties to prevent/limit/control under UNCLOS^{60,61}. Accordingly, extra-territorial national adjudication

57 This test is not a settled doctrine of international law, but an operational filter adapted from adjacent assurance logics (the AAA family in network security—authentication/authorization/accounting/auditing; the eIDAS trust-services layer—qualified signatures/seals and timestamps; and auditability controls in ISO/IEC 27001 and NIST SP 800-53). The aim is to keep the standard legal and reviewable, not technological.

58 Crawford (n 2), chs 1–3, particularly pp. 25–54 (legal personality and recognition) and pp. 55–95 (jurisdiction and territorial competence).

59 Grönlund & Horan (n 19) 722–23.

60 International Tribunal for the Law of the Sea (ITLOS), Request for Advisory Opinion submitted by the Commission of Small Island States on Climate Change and International Law (COSIS), Advisory Opinion, 21 May 2024, Case No 31.

61 UNCLOS (n 16).

does not operate in a vacuum; it aligns with those duties. It does not create a “parallel law” but activates national jurisdiction consistent with environmental and maritime obligations strengthening the likelihood of recognition and enforcement abroad⁶².

3.4. Elections and representation ex-situ

Representation remains valid if consent is reviewable: voter rolls derived from an up-to-date civil registry, diaspora enrollment with consular attestation, strong identity, and end-to-end voting with limited-risk audits ($\alpha \leq 5\%$), a public results board, and cryptographic receipts, so results can be reviewed without compromising ballot secrecy.⁶³ Challenges then move from general suspicion to evidence that can be tested.⁶⁴

Trust frameworks (identity wallets and qualified signatures/seals) reduce verification costs for third States when they review results and election administration records. Diaspora seats can be used to secure geographic inclusion without undermining political equality of votes.^{65, 66}

3.5. Civil registry and nationality

Continuity begins with civil status: birth, death, marriage, filiation, name. All are run on a distributed registry (primary, escrow, and treaty mirror) with clear input rules and judicial correction, and chain-of-custody for record items so external probative value can

62 Ibid.

63 Grönlund & Horan (n 19) 717–18, 719–21.

64 Richard Ashcraft, *Revolutionary Politics and Locke’s “Two Treatises”* (Princeton UP 1986).

65 UN, E-Government Survey 2024 (n 54) 22–23, 48, 54.

66 Regulation (EU) 2024/1183 of the European Parliament and of the Council of 24 April 2024 on a European Digital Identity Framework (OJ L, 30 April 2024).

be verified by others.⁶⁷ To avoid a single point of failure, design the treaty mirror as a Quorum M-of-N across several host jurisdictions to ensure continuity during outages or disputes.

Nationality is framed by a published law that respects the right to a nationality and bars arbitrary deprivation, supported by consular nationality mechanisms where host States cooperate.⁶⁸ Falepili Union treaties offers a treaty template to facilitate documents, travel, and protection arrangements preventing legal orphanhood without displacing national citizenship as the core of identity and rights.⁶⁹

3.6. Public archives and cultural patrimony

A State is its memory too: legislation, precedents, maps, administrative records. Host them under agreements granting archives immunities and functions (inviolability, immunities, enforce safety and controlled public access protocols). The goal is externally testable probativity: provenance, integrity, and chain of custody more than just stored images.⁷⁰

Tuvalu's experience shows how symbol can become operational continuity⁷¹: When archives, procedures, and symbols are kept on a reviewable platform, the "State" remains institutionally visible, even before a final legal settlement. In practice this means more than a website: digitised civil registries and an authenticated

67 UN, E-Government Survey 2024 (n 54) 25–26, 54.

68 UN instruments: Universal Declaration of Human Rights (UDHR) art 15; International Covenant on Civil and Political Rights (ICCPR) art 24(3); International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) art 5(d)(iii); Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) art 9; Convention on the Rights of the Child (CRC) arts 7–8.

69 Australia–Tuvalu, Falepili Union Treaty (in force 28 August 2024), Australian Department of Foreign Affairs and Trade (DFAT), arts 1(b)–(c), 2(2)(b), 3, 4(1).

70 ILC, 'Sea-level rise, Final report' (n 50) paras 49–52, 57–59; UN, E-Government Survey 2024 (n 54) 21, 54.

71 Craymer (n 8).

gazette; versioned constitutional texts and court records with trusted timestamps and hash-anchored provenance; and a public front end that lets third States inspect what matters (who acts, under what mandate, and with what record). Coupled with hosting MOUs and archives immunities, the digital layer stops being pure messaging and starts operating as evidence of authority, process, and identity, the very materials recognition turns on in inter-State relations.

3.7. Data protection, cyber-defence, and traceability

Without data protection and cyber-defence, there is no sovereignty online. Adopt a comprehensive data law (legal bases/purpose limitation/individual rights), an independent authority, critical-infrastructure classification (registry/courts/elections), incident monitoring and response, and traceability by design across public systems. A 72-hour breach notification policy and DPIAs for high-risk systems, together with segregation of duties (SoD) and zero-trust by default, form the first line of defence⁷².

eIDAS 2.0 provides an institutional trust layer for digital acts of State: high-assurance identity, qualified signatures/seals, and auditable trust wallets, making it easier for other States to recognise documents and outcomes and reducing cross-border disputes about authenticity and integrity.⁷³

3.8. Hosting and recognition agreements

A good agreement works as a designed recognition engine. Minimum content: server seat/jurisdiction and applicable law; archives immunities and functions; a pre-commitment to recognise

⁷² UN, E-Government Survey 2024 (n 54) 45, 54.

⁷³ Regulation (EU) 2024/1183 (n 66).

the effects of civil-registry entries/judgments/elections; and a dispute-resolution clause (arbitration/mixed court)⁷⁴. This way, recognition is engineered into infrastructure, not left to political courtesies⁷⁵.

Recent practice shows feasibility: Falepili blends protection, mobility, and status-fixing in a binding text;⁷⁶ the same approach can be tailored to archives, courts, and the registry (security/privacy/server location/institutional access), so infrastructure becomes a locus of sovereignty when territory is unavailable.

3.9. Maritime entitlements and “fixity”

We should not lose the sea after losing land. UNCLOS **tools -deposits (art 16) and CLCS recommendations (art 76(8))**-reduce reliance on shifting baselines, while the Pacific Islands Forum declares preservation of zones “without reduction”.⁷⁷ This avoids a double loss (land and sea) and creates legal stability amid natural volatility.

ITLOS 2024 adds a preventive face that strengthens this path: stricter duties of prevention/limitation/control curb incentives to slide toward lower baselines under climate pressure; with the ILA Sydney Resolution, practice trends toward preservation, not erosion.⁷⁸ The external environment for continuity is thus protected while internal functions run ex-situ.

3.10. The overall picture

74 ILC, ‘Sea-level rise, Final report’ (n 50) paras 35–41, 49–52.

75 Portmann (n 23) and Talmon (n 23).

76 Falepili Union Treaty (n 69).

77 PIF Declaration (n 6); UNCLOS (n 16) arts 16, 76(8); UN DOALOS, ‘Submissions to the CLCS’ (webpage, updated 2025).

78 ITLOS, COSIS Advisory Opinion (n 60); ILA, ‘Sydney Resolution on Sea Level Rise’ (n 16).

“Digital statehood” is an operating system on a different platform: online jurisdiction, reviewable courts, auditable elections, replicated civil registry, immunised archives, data governance and cyber-defence, hosting/recognition compacts, and maritime fixity. In fact, none of this equals territory; but it prevents legal orphanhood and keeps international personality functioning and accountable. The philosophy does not change, the accountable public authority does. The medium changes. Execution is practical: agreements are signed, registries mirrored, courts sit, elections audited, and maritime rights preserved—within a legal doctrine that already accommodates such moves.⁷⁹

3.11. A position: faithful reading of Montevideo, and a fair floor

We do not contest the centrality of territory, nor that sovereignty over inhabited territory is unmatched. We are not rewriting Montevideo; we are reading it faithfully in a hard case: its four qualifications are not a mechanical checklist. In the climate-exception context, “territory” can be understood as a legal title with fixed maritime entitlements; government exercises jurisdiction at a distance under reviewable procedures; capacity for relations is evidenced by hosting/recognition agreements. This is not dilution; it is functional fidelity to statehood under pressure. In practice, we propose Montevideo-plus:

An institutional-continuity test (recognizable identity and third-State recognition),

- Workable extra-territorial jurisdiction keeping courts/

79 ILC, ‘Sea-level rise, Final report’ (n 50) paras 27–29, 35–38, 52, 57–59; Crawford (n 2) chs 1–3, 16–17.

- registry/elections reviewable,
- A rights firewall preventing legal orphanhood (right to nationality and safeguards against arbitrary deprivation), and;
 - Maritime fixity that avoids double loss.

Finally, in Renan's sense of the right to exist, the international community is obliged **-as a matter of humanity first-** to act to save climate-deterritorialised States, yesterday, not tomorrow.

Conclusion

The claim we have addressed does not merely offer a technical conception of “state digitalisation,” but rather deconstructs the very foundation of international personality. It reveals that state continuity is not so much a function of territorial presence as it is the product of a verifiable institutional accumulation. Furthermore, the criterion for a state’s legal existence is inseparable from its capacity to produce externally verifiable records, to construct an attributable legal identity, and to possess a verifiable system.

Precedents in international law -**from Portmann’s analysis of the concept of personality to Talmon’s treatment of governments in exile to Crawford’s interpretation of state continuity**- have demonstrated that the law does not link “international existence” to a piece of territory, but rather to the capacity for self-representation and the attribution of decisions to an entity with a stable identity. With the evolution of international practice in the context of climate change, with the ILC reports, and with the advisory jurisprudence of ITLOS, it has become clear that the international legal system is gradually moving toward recognizing state continuity across non-territorial platforms, provided that the institutions, identity, and criteria underlying international personality are not replaced.

While the shift to a “digital presence” might seem like a mere emergency response for states threatened with physical extinction, analysis reveals something deeper: the state, in its legal essence, is an entity sustained through records, norms, and attribution. This makes the digital structure -**when designed to be verifiable**- a natural extension of the traditional legal structure, not a break from

it.

The Tuvaluan experience, as demonstrated by the Falepili Convention, reveals a realistic model that transcends theoretical speculation; a model that redefines the relationship between territory and identity, highlighting the state's capacity to establish a “verifiable presence” despite the erosion of its physical foundations. Here, the digital space becomes not a replacement for the state, but a platform for preserving its essential elements when its traditional pillars weaken. Thus, it becomes clear that ex-situ continuity is not a conceptual revolution, but a consistent **-and perhaps belated-** application of principles that international law has upheld for decades:

What makes a state a state is not territory, but the capacity to attribute actions, to preserve legal memory, and to produce an externally verifiable trace. When these elements are achieved, “digital presence” is not a technical choice, but a new form of exercising sovereignty in a world that is changing too rapidly for the law to remain captive to old geographical perceptions.

Recommendations

- Develop an international standard for ex-situ statehood to guide how states preserve legal continuity when territorial loss becomes inevitable.
- Establish a sovereign digital archive mechanism under neutral international oversight to safeguard identity, records, and institutional memory.
- Adopt interoperable global guidelines for government

digital identity (G-ID) to ensure recognition, attribution, and cross-border verification.

- Embed verifiability frameworks **-zero-trust architecture, chain-of-custody logging, and cryptographic auditability-** into all core state functions conducted ex-situ.
- Design a universal ex-situ electoral protocol enabling states to maintain democratic processes and external reviewability without territorial presence.
- Reintroduce structural sovereignty into international law discourse, distinguishing it from territorial sovereignty to address climate- and technology-driven disruptions.

References

- Crawford J, *The Creation of States in International Law* (2nd edn, OUP 2006).
- Portmann R, *Legal Personality in International Law* (Cambridge University Press 2010).
- Talmon S, *Recognition of Governments in International Law: With Particular Reference to Governments in Exile* (OUP 1998).
- Andrew Heywood, *Key Concepts in Politics* (Palgrave 2000).
- Derek Croxton, *Westphalia: The Last Christian Peace* (Palgrave Macmillan 2013).
- Grönlund Å and Horan TA, 'Introducing e-Gov: History, Definitions, and Issues' (2004) 15 *Communications of the Association for Information Systems* 713.
- Johan Ödalen, 'Underwater Self-Determination: Sea-level Rise and Deterritorialized Small Island States' (2014) 17 *Ethics, Policy & Environment* 133.
- Craymer L, 'Tuvalu's Digital Government and Climate Adaptation' (2023) *Asia Pacific Report*.
- Richard Ashcraft, *Revolutionary Politics and Locke's "Two Treatises of Government"* (Princeton University Press 1986).
- Meaghan Laidlaw, 'Cascading Consequences of Sinking States' (2023) 59(2) *Stanford Journal of International Law*.
- Bo Peng, 'Digital Leadership: State Governance in the Era of Digital Technology' (2022) *Cultures of Science*.
- *Convention Relating to the Status of Stateless Persons* (1954) 360 UNTS 117.
- *Convention on the Reduction of Statelessness* (1961) 989 UNTS 175.
- *Australia–Tuvalu, Falepili Union Treaty* (in force 28 August 2024) Australian DFAT.
- *Regulation (EU) 2024/1183 on a European Digital Identity Framework* [2024] OJ L 202/1.

- International Law Commission (ILC), ‘Sea-level rise in relation to international law’ (2023) UN Doc A/78/10.
- Pacific Islands Forum (PIF), Declaration on Preserving Maritime Zones in the Face of Climate Change-related Sea-Level Rise (11 August 2021).
- ITLOS, Request for Advisory Opinion submitted by the Commission of Small Island States (COSIS) (Advisory Opinion, 21 May 2024, Case No 31).
- UN DESA, United Nations E-Government Survey 2024 (UN 2024).
- Montevideo Convention on the Rights and Duties of States (1933).
- Venice Commission, Code of Good Practice in Electoral Matters (2nd rev edn, 2020).
- IPCC, AR6 WGI Summary for Policymakers (2021).
- IPCC, AR6 Synthesis Report (2023)