



Climate Displacement and Social Insecurity: A Socio-Legal Examination of Gender-Based Violence Against Women in South Asia

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Abstract

Climate-induced displacement has emerged as a significant human rights concern in South Asia, disproportionately affecting women and increasing their exposure to gender-based violence. Environmental disasters such as floods, cyclones, droughts, and rising sea levels have contributed significantly to social disruption, forced migration, and economic insecurity across the region. Frequently, women who become victims of climate-related displacements suffer increased risks of domestic abuse, sexual abuse, exploitation, trafficking, and lack of proper institutional protection. The present paper explores the interdependence between climate displacement and violence against women due to social insecurity in South Asia, focusing primarily on India, Bangladesh, Nepal and Pakistan. The focus is on analyzing the impact of the CEDAW and other national legislations which deal with issues of violence against women in addressing these challenges faced by women in such circumstances. The gaps in compliance of the international obligations, inadequacy of institutional measures, lack of adequate access to justice and absence of appropriate legal instruments on these issues is revealed through this research. In addition to that, patriarchal societal structures, poverty and other intersecting discriminations increase the plight of women who have experienced climate-induced displacement. Through this paper, the author emphasizes the need to adopt a gender-sensitive and rights-based approach to address legal problems related to these challenges.

Keywords: Climate-induced displacement, Gender-based violence, South Asia, Climate justice, Women's rights, Environmental migration

1. Introduction

Climate change is increasingly being viewed as a multifaceted human rights issue with global social, economic, and legal repercussions. Climate-induced displacement has been one of the most significant consequences of climate change, owing to increased occurrences of floods, cyclones, drought, increasing sea levels, and biological changes (IPCC, 2023). According to the World Bank (2021), there will be millions of cases of internal displacement in South Asia by 2050 owing to climate-related factors, posing a significant challenge to governance and human security. South Asia has been identified as one of the most vulnerable regions to climate change, with countries such as India, Bangladesh, Pakistan, and Nepal experiencing massive internal displacement as a result of extreme weather conditions and

environmental insecurity (Internal Displacement Monitoring Centre, 2024). Climate displacement affects whole communities, but women and girls are particularly vulnerable since existing gender imbalances exacerbate during an environmental catastrophe (UN Women, 2022). The link between climate relocation and gender-based violence against women is rapidly becoming a critical socio-legal issue in modern society. Climate displacement causes a collapse in social structure, unemployment, poverty, and a lack of security measures in communities, making women more vulnerable to acts of abuse and exploitation (UNHCR, 2023).

Climate-displaced women face a variety of kinds of violence in their places of shelter and transit, including domestic violence, sexual assault, human trafficking, and forced marriages (True, 2016). Several studies have found that climate-related



disasters and forced displacement lead to an increase in domestic violence and sexual abuse because economic difficulties, uncertainty, and congestion promote patriarchal dominance and social instability (Ahmed & Fajber, 2009; Neumayer & Plumper, 2007). This problem is exacerbated in South Asia by caste oppression, poverty, ethnic prejudice, and limited resource availability (Rao & Hans, 2018). Existing international and national regulations do not effectively address gender-based aspects of climate displacement. Human rights accords like CEDAW require nations to abolish discrimination and protect women from abuse.

However, they do not take into account the hazards connected with climate-induced relocation (CEDAW Committee, 2018). Furthermore, while the UNFCCC and other climate governance structures have begun to address gender concerns, their enforcement remains weak, and their approach is more political than legal (UNFCCC, 2019). The lack of a legally enforceable international system on climate refugees and displaced individuals creates a vacuum in protection measures, particularly for women who face violence during displacement (McAdam, 2012). South Asian countries have enacted domestic legislation to combat violence against women, including India's Protection of Women from Domestic Violence Act of 2005, Bangladesh's Prevention of Oppression Against Women and Children Act of 2000, and similar legislation in Nepal and Pakistan. Despite offering critical protection against gendered violence, these legal measures frequently fail to take into account the unique challenges connected with climate relocation (Jolly & Ahmad, 2019). The bulk of legal rules address concerns of violence against women through traditional criminal and domestic legislation, without considering the reality of climate relocation. Displaced women living in improvised shelters or camps are frequently excluded from legal protection measures (Alston 2020). Further implementation issues also diminish the efficacy of legal provisions for displaced women in South Asia. Inadequate institutional capacity, insufficient financing, inefficiencies in bureaucracies, and failure to establish gender-

sensitive disaster management procedures limit women's access to justice (United Nations Development Programme, 2021). The police and courts are not trained adequately to address violence in displacement contexts, leading to delayed or insensitive handling of complaints (Human Rights Watch, 2023). Moreover, displaced women cannot report any forms of domestic violence due to social stigma, fears of reprisal, lack of legal knowledge, or lack of the necessary documentation that enables women to receive assistance from the state (UN Women, 2022). Also, most disaster management and rehabilitation policies in South Asia focus on rebuilding infrastructure and providing emergency aid without addressing the need for gender-sensitive policies that could protect women from violence in displacement camps (Thomas et al., 2019).

The problem is also intersectional, as underprivileged women face several types of vulnerability while being uprooted as a result of climate change. The amount of alleviation, protection, and rehabilitation for disadvantaged women is influenced by a variety of factors, including caste, ethnicity, religion, and socioeconomic position (Kajiser & Kronsell, 2014). Indigenous, rural, and economically disadvantaged women are disproportionately sidelined in decision-making and climate change policy formation, and they are more vulnerable to abuse and exploitation (Dankelman 2010). This highlights the necessity for an intersectional rights-based strategy to addressing violence against women during climate displacement in South Asia. Given this context, this article performs a socio-legal research of climatic displacement and social insecurity in South Asia, with a focus on gendered violence against women. The report conducts a critical review of international human rights commitments, local laws, and institutional processes to identify legal and policy deficiencies that impede effective protection and remedy for displaced women (CEDAW Committee, 2018; UN Women, 2022). Drawing attention to the link between climate displacement and structural gender inequality, social insecurity, and legal marginalization, the paper advocates for immediate reforms in climate law, disaster law, and human



rights law that take into account the gendered nature of the phenomenon under consideration (Alston, 2020).

2. Climate Displacement and Social Fragmentation

Displacement resulting from climate change is a major part of the current problem. Flooding, storms, drought, melting glaciers, coastal erosion, and sea level rise are all common in South Asia, triggering huge internal displacement and migration (IPCC, 2023). Bangladesh, India, Pakistan, and Nepal frequently encounter environmental catastrophes that harm their economies and impair people's livelihoods, resulting in displacement or migration (IDMC, 2024). Climate change migration differs from conventional migration in that it typically occurs abruptly and under unstable conditions. The migrants lack access to housing, medical care, job possibilities, and the social support system (McAdam, 2012). Social fragmentation is one of the effects of climate displacement because such an occurrence tends to destroy social bonds that are normally established by people within a community and weaken support networks. For instance, in rural and coastal regions in South Asia, social relationships have always been intertwined through family ties, governance systems, and economic activities. However, in instances where environmental disasters occur, such connections and social bonds get severed owing to the fact that such occurrences lead to separation and displacement of families (Black et al., 2011). As a result, social fragmentation results due to the loss of property, livelihoods, and homes, leading to insecurity and marginalization of individuals in such settings (Adger et al., 2014).

The fact that women are disproportionately affected by the aforementioned impacts of environmental stress is due to the higher level of gender imbalance during environmental deterioration. Women in South Asia rely on their communities for economic support, childrearing, and socioeconomic safety nets. Women are more vulnerable to displacement than males since they

are economically reliant, less mobile, and have fewer resources (UN Women, 2022). According to studies, displaced women face more barriers to accessing nutritional food, income-generating activities, health-care facilities, and acceptable housing than males. Displacement frequently forces women to engage in insecure labor practices in which they are readily exploited and abused (Hunter and David, 2011). Climate displacement, typified by urbanization, exacerbates social instability and marginalization. A considerable percentage of climate-displaced individuals relocate to cities with substandard housing, overcrowding, and inadequate sanitary services, which are structural vulnerabilities (World Bank, 2021).

Furthermore, informal settlements and camps have limited security, legal, and service facilities, leaving climate-displaced women and children vulnerable to exploitation and abuse (UNHCR, 2023). The lack of safe housing and monitoring methods in such areas makes it impossible to enforce traditional practices that promote communal social behavior (Sultana, 2014). It is also vital to understand that climate displacement exacerbates existing disparities based on caste, class, ethnicity, religion, and geographical location. Communities belonging to disenfranchised elements of society are generally located on environmentally sensitive grounds, making them vulnerable to relocation and a lack of resources (Islam & Winkel, 2017). Similarly, women from low-caste origins, indigenous groups, and low-income families face even greater barriers to accessing humanitarian organizations and government support for rehabilitation (Kajiser & Kronsell, 2014). The issue of protecting displaced women in South Asia is further aggravated by fragmentation within institutions, insufficient complaint systems, and the stigmatization associated with gender-based violence. Figure 1 demonstrates some of the key structural impediments to the provision of adequate legal protection in such situations.

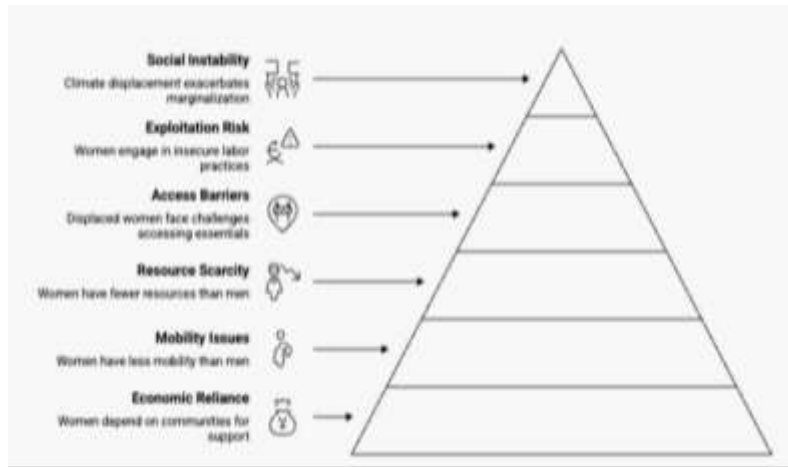


Fig1: Women's Vulnerability to Environmental Stress

Source: Compiled by the author using data and concepts from the Internal Displacement Monitoring Centre (2024), UN Women (2022), Intergovernmental Panel on Climate Change (2023), and World Bank (2021).

Governmental participation in climate catastrophe response tends to focus solely on infrastructure rehabilitation, leaving the social side untouched (Thomas et al., 2019). The third implication of climate displacement includes the erosion of trust institutions and governance systems. Natural calamities often overwhelm administrative processes and highlight the inadequacy of measures undertaken during disaster preparation, distribution, and rehabilitation (Ayers & Forsyth, 2009). Slow government response, ineffectiveness in compensation plans, and corruption in relief management all help undermine public trust and contribute to social unrest. Climate change refugees often become invisible to the law since they do not have any identification papers or may be living on the fringes of welfare programs, which makes it difficult for them to seek redress or social protection (Zetter, 2017).

The most affected group in these circumstances includes women because gender roles still prevail in South Asian societies regarding inheritance and property management (Agarwal, 1994). Climate relocation fractures social systems, jeopardizing women's security and welfare. This is because the disintegration of family and community-based security systems creates conditions conducive to violence, exploitation, and coercion (True, 2016).

Climate relocation has been linked to economic difficulty, overcrowding, and mental agony, all of which can exacerbate family tensions, leading to an increase in domestic and gender-based violence (Ahmed & Fajber, 2009). Furthermore, relocation disrupts female education and access to health facilities, continuing the cycle of poverty among displaced women (UNICEF, 2023). Climate displacement and social fragmentation necessitate a strategy that includes laws and policies focused on climate justice and gender equity. Climate change adaptation and disaster management programs in South Asia typically prioritize immediate relief and infrastructure restoration while ignoring the larger socioeconomic consequences of displacement (UNFCCC, 2019). Such concerns must be addressed via integrated governance procedures that focus on strengthening community resilience and implementing social policies to safeguard displaced communities. Failure to do so would lead to more social disintegration and insecurity among displaced women.

3. Violence Against Women in Displacement Settings

Environmental displacement has increased the vulnerability of women to various types of gender-based violence in South Asia. Disasters and environmental displacement tend to create insecure



social surroundings that have such characteristics as poverty, overcrowding, lack of regulation, and absence of community safety measures (IOM, 2021). In displaced communities, women and girls can be exposed to increased risk of gender-based violence because already established patriarchal relationships become more pronounced in times of crisis (UN Women, 2021). Temporary accommodation facilities, camps for migrants, and migration routes are often not safe and lacking sufficient measures to ensure security and privacy of women (UNFPA, 2015). Overall, the case of South Asian displaced women shows that environmental displacement is an issue of human rights and gender justice along with being environmental.

3.1 Domestic Violence

Domestic violence continues to be among the major types of abuse commonly experienced by women in situations of displacement. The occurrence of climate-related disasters can cause a number of problems, including loss of means of subsistence, joblessness, lack of food and secure shelter, all of which may create stress and tension within families (Enarson & Chakrabarti, 2009). Economic and social difficulties usually fuel domestic violence and emotional abuse against women, especially in societies dominated by patriarchal culture where men are expected to exercise dominance and use force (Fisher, 2010). This relationship between climate change and domestic violence has been demonstrated through studies carried out in disaster-prone areas of Bangladesh and India (Nasreen, 2012). Women who have been displaced are unable to escape their violent home environments and have no means of financial or social assistance since they dwell in congested shelters and refugee camps (UN Women, 2021). The breakdown of community-based safety nets, along with a lack of privacy in shelters, reduces women's ability to seek assistance or leave such situations (True, 2016). Another reason women avoid seeking treatment is their fear of vengeance, social isolation, and financial dependence on their abusers (Human Rights Watch, 2023).

3.2 Sexual Violence and Trafficking

Sexual violence, sexual abuse, and human trafficking also affect women and girls in displacement settings, putting them at increased risk for such violence. Shelters, refugee camps, and informal settlements are often places lacking sufficient lighting, proper sanitation facilities, and security measures, thus making women more exposed to sexual attacks (Women's Refugee Commission, 2016). Displacement situations, which do not have effective oversight and law enforcement institutions, are conducive to instances of rape and other types of sexual assaults (Amnesty International, 2022). Furthermore, women moving along migration routes and living in insecure urban settlements risk experiencing violence from traffickers, employers, landowners, and even humanitarian organizations (UNODC, 2020). Climate displacement has exacerbated the already-existing problem of human trafficking in South Asia, particularly in socioeconomically challenged regions. Human traffickers have targeted displaced persons who are impoverished enough to support themselves through forced labor, forced prostitution, domestic slavery, and underage marriage (Siddiqui, 2003). Climate-induced environmental catastrophes have been linked to an upsurge in the trafficking of women and young girls into urban labor markets in countries such as Bangladesh and Nepal (Girls Not Brides, 2021). Women belonging to lower castes, indigenous communities, and minorities are at danger owing to a lack of education and knowledge. However, reporting rates for sexual assault remain low, particularly in forced migration scenarios. Legal authorities may stigmatize, shame, and mistrust survivors, discouraging them from seeking justice or health treatment (Bhan et al., 2017). In most regions of South Asia, the culture of honor and sex makes victims hesitant to confess their suffering, hence little rehabilitation is given (WHO, 2022).

3.3 Gender-Based Exploitation Within Relief Settings

Despite their role in providing security and restoration of rights, relief camps and humanitarian response systems tend to become spaces where gender-based exploitation occurs. Displaced



women often rely on humanitarian aid for food, shelter, healthcare, and economic support, thus giving rise to imbalances of power between displaced people and the aid agencies (IOM, 2021). The lack of proper monitoring measures and accountability frameworks in place may make displaced women vulnerable to sexual abuse, violence, and exploitation in order to access basic necessities and aid services (Castañeda Camey et al., 2020). In addition to the failure to design relief camps with gender sensitivity, another factor that causes insecurity is that many camps do not offer separate sanitation, secure accommodation, reproductive health care services, and reporting systems for women who have experienced violence (Fordham, 2011). Displaced women may be harassed while fetching water, using sanitation facilities, or lining up for aid at camps where there is insufficient security staff (UNHCR, 2023). People's economic exploitation is another key concern in relief circumstances. Women who have been evacuated from their homes frequently engage in unregulated economic activities out of necessity owing to loss of income and a lack of official action (Hunter & David, 2011). These situations render individuals more vulnerable to economic exploitation, such as uneven salaries and survival connections. Widows, single moms, and irregular migrants are particularly vulnerable because they lack enough social and economic support (ActionAid, 2016).

Exploitation in these circumstances shows a broader failure in humanitarian governance and catastrophe management. Emergencies in South Asia are characterized by infrastructural and logistical concerns that take precedence over gender-specific protection measures and survivor-centered rehabilitation initiatives (UNDP, 2021). Such issues may be addressed by improving institutional accountability, gender-sensitive camp administration, providing simple access to complaint centers, and increasing women's participation in disaster management initiatives. If nothing changes, South Asia's displacement camps will continue to be sites of systemic violence against women.

4. Socio-Legal Evaluation of Existing Legal Frameworks

The link between climatic relocation, socioeconomic vulnerability, and violence against women has exposed several flaws in existing legal frameworks at both the international and state levels. While international human rights law, climate governance frameworks, and national disaster management laws provide some protection for those in danger, there are significant gaps in the current legal framework for addressing the gendered aspect of displacement caused by climate change in South Asia (McAdam, 2012). According to Castañeda Camey et al. (2020), climate-displaced women face legal invisibility due to inadequate attention to their human rights and gender justice concerns.

4.1 International human rights and climate obligations

International human rights law provides a fundamental normative foundation for the protection of women facing climate displacement and gender-based violence. This is reflected in international human rights agreements such as the CEDAW, UDHR, and ICCPR, which guarantee the right to equality, dignity, security, and freedom from violence (United Nations, 1948; 1966). The CEDAW specifically says that state parties must take steps to eliminate discrimination against women, achieving substantive equality in both the public and private realms (CEDAW Committee, 2018). The CEDAW Committee's General Recommendation No. 37 emphasizes how climate change and catastrophes disproportionately affect women, and it advocates for gender-sensitive climate adaptation and disaster risk reduction methods (CEDAW Committee, 2018). Despite all of this progress, climate migrants are not explicitly recognized in any international human rights framework, including international refugee law, which is intended to protect individuals who have been forced to flee their homes due to persecution in their home country based on race, religion, nationality, political opinion, or membership in a particular social group (UNHCR, 1951). As a result, nations' duties to climate migrants are unclear, particularly for women who are susceptible to



sexual and gender-based violence (McAdam, 2012). While the Global Compact for Safe, Orderly and Regular Migration and the Sendai Framework for Disaster Risk Reduction address climate-related migration and vulnerability, both frameworks are not legally binding and rely on the voluntary participation of nations (UNDRR, 2015). Gender considerations have been more important in international climate policy negotiations. The UNFCCC and the Paris Agreement emphasize the importance of gender equality and women's empowerment in climate change adaptation and resilience building (UNFCCC, 2019). The Enhanced Lima Work Programme on Gender encourages nations to strengthen gender-responsive climate policies and boost women's engagement in climate governance processes (UNFCCC, 2019). Nonetheless, these climate governance initiatives have been proven to be unsuccessful since they primarily focus on policy and lack accountability mechanisms to address the violence experienced by displaced women (Alston, 2020).

4.2 Laws on Disaster Management and Rehabilitation

Within the national sphere, there are disaster management and rehabilitation laws that were designed to address natural disasters and humanitarian emergencies in South Asia. The Disaster Management Act in India was established in 2005 and created systems that would help with disaster preparedness, mitigation, and rehabilitation through the establishment of the National Disaster Management Authority (NDMA). Likewise, the Disaster Management Act in Bangladesh was formulated in 2012, while Nepal adopted the Disaster Risk Reduction and Management Act in 2017 (Government of Bangladesh, 2012; Government of Nepal, 2017). Although these regulatory instruments recognize people's vulnerability, they do not include gender-sensitive safeguards to protect displaced women. The gender neutral approach remains popular in disaster management regulations in South Asia, despite the fact that women's vulnerabilities in the event of relocation, such as domestic violence, trafficking, sexual abuse, and economic instability, are not adequately addressed (Fordham, 2011).

Women's relief camps and rehabilitation institutions frequently fail to address safety issues, health care needs, privacy, and legal aid. In post-disaster surveys performed following floods in Pakistan and cyclones in Bangladesh, relief camps were found to have poor cleanliness, a lack of segregated accommodation for women, and a lack of psychosocial assistance. The legal structures in place to deal with domestic abuse against women are also insufficient in the context of relocation. The Protection of Women from Domestic Violence Act of 2005 in India and the Prevention of Oppression Against Women and Children Act of 2000 in Bangladesh are laws that address gender violence; however, these laws were drafted with a stable home life in mind rather than a displacement scenario (Jolly and Ahmad, 2019). Women living in temporary camps or slums face barriers to accessing police and judicial protection, shelters, and attorneys due to displacement (Human Rights Watch, 2023). Another significant problem is the absence of synergy between laws governing climate change adaptation and gender security measures. Typically, adaptation programs in South Asia focus on infrastructure, agriculture, and economic stability, ignoring the legal and social dimensions of displacement (World Bank, 2021). As a result of this, the issues of women's safety, freedom of movement, property access, and engagement in the rehabilitation process are often ignored.

4.3 Gaps in Protection for Displaced Women

From a socio-legal standpoint, an evaluation of present laws and initiatives reveals several gaps in the protection of displaced women in South Asia. First and foremost, there is a significant lack of legal recognition for climate displacement as a human rights issue that disproportionately impacts women. The international community's refugee rules do not provide legal protection for climate-displaced people, and national legislation fails to establish comprehensive measures that address the suffering of displaced women (McAdam, 2012). Laws and policies are less effective because of the existence of implementation gaps. There are issues such as poor funding, corruption, bureaucracy, and inadequate institutional coordination that plague

the process of implementing a response to disasters in some South Asian countries (Ayers & Forsyth, 2009). The victims of flooding, cyclones, and droughts are often denied access to relief operations because of social prejudices and lack of mobility or knowledge about existing services (UN Women, 2022). Other groups affected are the marginalized and vulnerable groups, which include

lower caste women, indigenous people, widows, and migrant populations (Kaijser & Kronsell, 2014).

Figure 2 highlights some of the major institutional and socio-legal barriers that undermine effective protection and access to justice for displaced women experiencing violence in climate-induced displacement contexts.

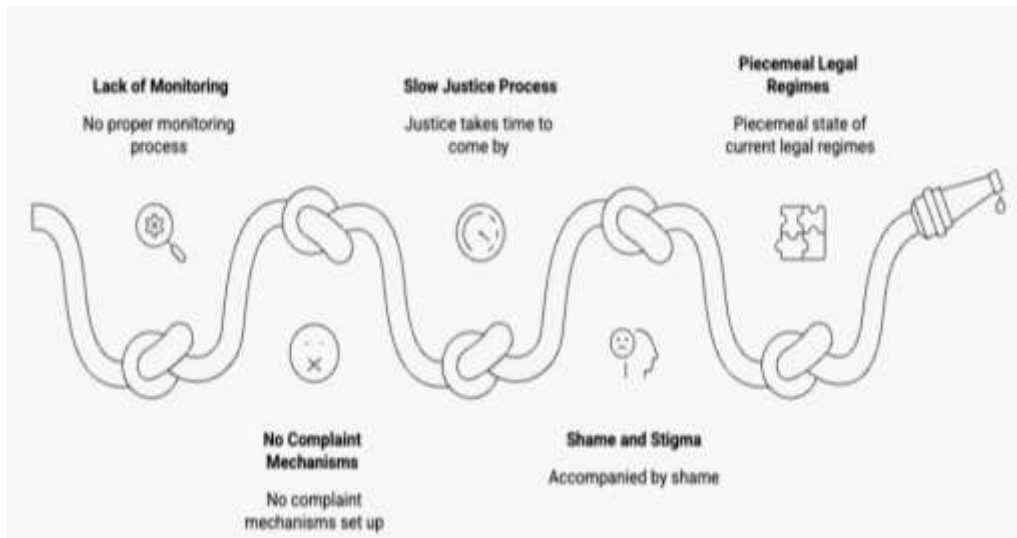


Fig2: Addressing Violence Against Women in Displacement

Source: Compiled by the author using data and concepts from UN Women (2021), United Nations Office on Drugs and Crime (2020), Women’s Refugee Commission (2016), and Castañeda Camey et al. (2020)

Another important issue is the fact that there are few accountability measures available to address violence against women in displacement scenarios. In relief camps, for example, no proper monitoring process or complain mechanisms have been set up for victims of sexual and gender-based violence, hence creating conditions that lead to impunity for those guilty of abuse or exploitation (Amnesty International, 2022). Justice is hard to come by for the majority of displaced women as long as the process takes time and is accompanied by shame (WHO, 2022). The piecemeal state of current legal regimes illustrates the immediate necessity for holistic socio-legal reforms that integrate the fields of climate regulation, disaster relief, and the promotion of women's human rights. Solving such problems will entail the formulation of binding gender-sensitive disaster policies, increased accountability, access to legal assistance, and the inclusion of climate-induced migration under

human rights discourses. Otherwise, women who migrate due to climate crises in South Asia will remain excluded, unsafe, and vulnerable to violence.

5. Institutional Gaps and Policy Challenges in Addressing Climate Displacement

There have been several institutional and policy gaps in dealing with the challenges of climate displacement and providing adequate protection for people, especially women, who suffer from climate displacement. Although there exist several institutions that manage disasters and promote adaptation, as well as several laws related to the prohibition of gendered violence, the capacity to address climate displacement and its effects in an effective way is still very low (UNDP, 2021). The problem with the management of climate displacement is that it has primarily been approached through humanitarian policies that are



centered around immediate relief and rehabilitation, leaving social security and justice matters aside (Thomas et al., 2019). Another key challenge is the failure to implement the already available policies and legislation properly. South Asian nations have legislation that addresses disaster management and violence against women. Yet the lack of proper implementation tools, such as insufficient funding, ineffective bureaucratic machinery, and poor collaboration, prevent these initiatives from being fully realized (Ayers & Forsyth, 2009). When environmental catastrophes occur, the governmental apparatus focuses primarily on restoring infrastructure, evacuating people, and providing them with necessary supplies. The issue of protecting the displaced population from gender-related threats does not get much attention (IFRC, 2020). Thus, displaced women experience significant problems accessing shelters, health care services, lawyers, and police assistance.

Institutional weaknesses can easily be seen when it comes to relief and rehabilitation efforts. The camps established following natural disasters fail to provide gender-sensitive facilities like safe housing, privacy regarding sanitation, reproductive health care, and an outlet for complaints (UNFPA, 2015). Studies conducted among flood-affected communities in Bangladesh and Pakistan have found that poor camp management and lack of oversight increase the risk of violence against women (ActionAid, 2016). More often than not, displaced women find themselves having to rely on informal networks or humanitarian assistance which may itself be poorly regulated (IOM, 2021). Another impediment to the effectiveness of present protective measures is a lack of institutional responsibility. Poor monitoring and unscrupulous practices frequently stymie relief efforts, and aid distribution is typically biased in favor of more economically affluent persons and women-headed households (Islam and Winkel, 2017). Compensation processes, as well as insufficient paperwork, frequently prevent displaced women from accessing rehabilitation or welfare programs (Zetter, 2017). Furthermore, judicial institutions and law enforcement lack a dedicated methodology for dealing with abuse claims during displacement (Human Rights Watch, 2023).

The second significant problem is the lack of gender views in climate governance frameworks. Despite the increased emphasis in South Asia on environmental resilience, technological adaptation, and economic recovery, gender aspects of climate-induced displacement have been overlooked in climate policy debates (Dankelman, 2010). While international climate discourses increasingly recognize the importance of gender-sensitive modifications, effective state implementation has failed (UNFCCC, 2019). There is a notion that women are just victims of climate-induced relocation, neglecting to recognize that they have legal and economic rights as well. The lack of solid gender-disaggregated statistics on climate-induced displacement and violence against women emphasizes gender problems' invisibility. Disaster databases and climate assessment reports prepared in South Asia focus primarily on the damage incurred, the death toll, and the financial loss sustained during a disaster, but they pay little attention to the social harm suffered by displaced women in the form of domestic violence, trafficking, sexual abuse, and psychological distress (UN Women, 2022). As a result, the lack of precise data complicates evidence-based decision and obscures the link between climate-induced relocation and gender security (World Bank, 2021).

The exclusion of women from the policy decision-making process further perpetuates the weaknesses in institutional arrangements that characterize the climate governance framework in South Asia. Disaster management institutions, climate change adaptation initiatives, and rehabilitation programs are predominantly central and masculine in nature, lacking the representation of women, especially those who are marginalized (Fordham, 2011). This lack of representation undermines the development of inclusive policies that can address issues related to safety, mobility, health care, livelihood security, and social protection in cases of displacement (Kaijser & Kronsell, 2014). However, the prevailing governance institutions fail to acknowledge women as diverse groups of people while framing policies to protect them from vulnerability (Crenshaw, 1991). In South Asia, women from the lower castes, indigenous



communities, poor rural regions, and minorities are victims of several exclusions during the disaster response and rehabilitation process, including health care provision, legal assistance, and relief distribution mechanisms (Mehrotra & Parida, 2019). The intersectional vulnerabilities mentioned above are especially important for undocumented migrants, widows, older women, and women with disabilities, who frequently fail to receive assistance from official welfare institutions during climate crises due to paperwork issues, a lack of mobility, and discrimination against vulnerable groups (WHO, 2022; UNHCR, 2023). It becomes clear that the continuation of such institutional failures needs the implementation of major changes based on gender justice and human rights principles. The present climate governance frameworks should transition away from their primarily technocratic and crisis-oriented orientation and toward an approach that views displacement as a long-term socio-legal issue affecting women's well-being, security, and access to justice.

6. Towards Gender-Responsive Climate Justice

Growing connection between climate displacement, social insecurities, and violence against women in South Asia has brought to the fore the pressing need for gender-sensitive climate justice frameworks. Gender-sensitive climate frameworks are yet to be developed in the region due to an overwhelming concentration on environmental adaptation and economic revival while ignoring structural inequalities that further marginalize women when it comes to displacement (Newell et al., 2021). To address climate displacement from a gender perspective, there is need to recognize that climate change involves more than just the environment but also social exclusion, poverty, and gender discrimination (Fraser, 2009). Incorporating gender perspectives within climate change adaptation policies is critical in ensuring the adverse effects of environmental displacements among women are addressed. Adaptation efforts in South Asia often focus on technocratic, structural and economic considerations without taking into account the implications of climate change on women's access to property, income generation, health care, accommodation, and legal rights (Rao

et al., 2020). Gender-sensitive climate adaptation strategies must, therefore, take into consideration the social context of displaced women and include measures aimed at providing safe accommodation, reproductive health care, means of earning a living, and legal support (United Nations Environment Programme [UNEP], 2021). In addition, efforts to tackle the impacts of climate change should not only perceive women as victims of environmental risks but also as proactive agents of environmental management efforts (Djouidi et al., 2016).

Women's involvement in climate governance processes is critical for making better decisions through inclusive engagement. In most South Asian situations, women have extensive local expertise of environmental management, water conservation, food production, and catastrophe risk reduction strategies. Nonetheless, their expertise is neglected in policy development (Agarwal, 2010). Women's increased participation in local government decision-making, disaster management committees, and adaptation initiatives is likely to lead to a greater knowledge of the issues impacting displaced people. According to the literature, climate change adaptation initiatives are more likely to succeed when women play active roles in their development and execution, particularly in vulnerable rural and coastal regions. Ensuring participation from marginalized groups, including indigenous women, lower caste communities, and economically disadvantaged populations, is equally important for promoting inclusive climate governance.

Climate justice policies have to tackle issues like poverty, lack of equal land distribution, labor exploitation, and discrimination against women to reduce their exposure and susceptibility to displacement and violence, respectively (Arora-Jonsson, 2011). Thus, policy interventions such as changes in the law regarding women's property inheritance, participation in economic activities, and educational opportunities are required to reduce long-term vulnerability, whereas social security policies involving livelihood support and gender-sensitive rehabilitation can be effective ways of improving resilience among displaced people (FAO, 2018). In addition, legal recognition of climate displaced people as rights holders under



climate governance policies is critical since refugee and migration policies have proven insufficient in tackling environmental displacement and its gender dimensions (Scott & Salamanca, 2021). South Asian states must thus consider include measures for violence prevention, access to justice, and rehabilitation in their climate adaptation and disaster management programs. Gender-responsive climate justice also requires governance frameworks based on institutional accountability, gendered implementation techniques, and data disaggregation. Countries must work together to combat cross-border displacement, trafficking, and safeguard their citizens. This implies joint policy on climate change and migration in South Asia (South Asian Association for Regional Cooperation, 2020). Finally, to ensure gender-responsive climate justice, governance models must prioritize women's rights, dignity, and social security in climate policies and adaptations.

7. Conclusion

Climate displacement is becoming acknowledged as one of South Asia's most serious socio-legal issues, with women suffering disproportionately as a result of environmental instability, social uncertainty, and gender violence. This research demonstrates how environmental crises that cause catastrophes and displacements increase existing socioeconomic inequities, leaving displaced women exposed to domestic abuse, sexual exploitation, trafficking, and other types of exclusion. Whereas environmental shocks disrupt women's social and economic security systems, they also impair protective mechanisms, leaving women vulnerable at home and abroad (UNFPA, 2015). Despite the adoption of disaster management systems, climate change adaptation policies, and even laws protecting women from violence, all of these instruments are disjointed and unprepared to address the gender challenges of displacement (UNDP, 2021). Existing institutions prioritize emergency relief and infrastructure repair, but do not sufficiently address issues such as women's justice, social welfare, livelihoods, or rehabilitation. Another conclusion is that a lack of institutional readiness, poor execution, and a failure to build gender-sensitive governance have rendered

it hard to safeguard women suffering displacement. Relief camps, rehabilitation institutions, and other disaster management procedures frequently lack mechanisms to protect against sexual abuse, leaving displaced women unable to seek legal remedy (UN Women, 2022). Climate justice policies and frameworks also fail to address intersectional vulnerabilities such as caste, race, class, disability, age, and migrancy, continuing the cycle of exclusion and marginalization throughout displacement processes (Crenshaw, 1991). The absence of protection in accessing essential amenities such as healthcare, compensating services, legal remedies, and institutions makes it difficult for economically underprivileged women who face many discriminations. Furthermore, the displaced group is not recognized in local or international legislation, leaving displaced women without rights-based safeguards or legal accountability. As a result, this article underlines the need for climate justice frameworks that incorporate human rights protections as well as social and institutional responsibility into climate adaptation and catastrophe governance processes. Improving domestic laws, implementing safeguard measures in the context of displacement, and engaging women in climate policy would all contribute to reduced vulnerability and improved access to justice (UNFCCC, 2019). An equally important aspect is the necessity for intersectionality in legal solutions, which allows for the understanding of the many experiences that women experiencing relocation in South Asia face. Other institutional changes include improved rehabilitation and community-based protection initiatives, as well as increased cooperation between climate governance entities and human rights groups. Regional coordination among South Asian governments is critical in addressing cross-border displacement, human trafficking, and climate migration protection challenges. Cooperation within frameworks focused on migration, disaster preparedness, and survivor-centric protection will enable for better coordination in responding to the region's climate emergency. In any case, the worsening climate crisis requires a paradigmatic shift in the approach to governance where climate justice becomes



synonymous with gender justice and human security. Climate migration cannot merely remain a problem of the environment or of humanitarian concern but instead should be acknowledged as a crucial aspect of socio-legal importance necessitating sustained institutional engagement. Any socio-legal changes in the future in South Asia will need to go beyond the immediate solutions that have thus far been pursued. Instead, it will be essential that future socio-legal shifts in South Asia recognize climate-displaced women as full-fledged human beings deserving of recognition, protection, and access to justice.

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