Social Implications of Climate Change in Vanuatu:
Potential for Conflict, Avenues for Conflict Prevention, and Peace Building

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Abstract

The 'perfect storm' is brewing as Vanuatu's population grows and its exposure to climate risks escalates as the planet continues to warm. It is widely accepted that the consequences of climate change are disproportionately burdening vulnerable, developing states, such as those across the South Pacific region. Vanuatu's vulnerabilities are present on all fronts: geographic, infrastructure, governance and socio-economic. The citizens of Vanuatu face compromised food, water and health security, jeopardising their livelihoods, and those of future generations. Some have already been forced to relocate from their increasingly un-inhabitable island homes. Climate change impacts have wide-reaching social implications, including the potential for conflict, which could threaten national, regional and international peace and security. This scenario needs to shift from the narrative of Vanuatu as a victim to Vanuatu as a leader in 'main frame' global climate and conflict discourse and action. For example, traditional customary practices and livelihoods have, throughout history, adapted to changing conditions and operated with the sustainable bounds of ecosystems. These practices and knowledge have much to offer globally when considering adaptation responses. This policy brief describes climate change as destructive and constructive: a challenge to community and a community connector. 'Destructive' in its capacity to facilitate hardships and disasters that may result in conflict. 'Constructive' as it binds communities together to support each other in response to climate challenge. This brief considers options to mitigate the likelihood of conflict, with an emphasis on the role of law, including the United Nations Security Council. Recommendations span international, national and local jurisdictions. However the key message involves the importance of community-led, local-ised approaches to climate change adaptation and the maintenance of peace, in Vanuatu.

List of Acronyms

ACF	Adaptation Coalition Framework
EDP	Environmentally Displaced Person
GHG	Greenhouse Gas
IPCC	Intergovernmental Panel on Climate Change
UNSC	United Nations Security Council
UN	United Nations
U.S.	United States of America
COP	Conference of the Parties
GDP	Gross Domestic Product
UNFCCC	United Nations Framework Convention on Climate Change

Introduction

The Intergovernmental Panel on Climate Change (IPCC) declared that "Climate-related risks to health, livelihoods, food security, water supply, human security, and economic growth are projected to increase with global warming of 1.5°C and increase further with 2°C." [1] Scientists and policy makers have long recognised that the impacts of climate change can threaten community stability and accelerate conflict. For instance, in 2014 the United States (U.S.) *Climate Change Adaptation Roadmap* identified climate change as potentially adding "to the challenges of global instability, hunger, poverty, and conflict." [2] The report stated, "Food and water shortages, pandemic disease, disputes over refugees and resources, more severe natural disasters – all place additional burdens on economies, societies, and institutions around the world."[3] Indeed, the former United Nations (UN) Secretary General Ban Ki-moon stated, "the scarcity of food and water [will] transform peaceful competition into violence…and droughts spark massive human rights migrations, polarising societies and weakening the ability of countries to resolve conflicts peacefully."[4] The UN Deputy Secretary-General, Amina Mohammed, supported this position when she said "the impacts of climate change go well beyond the strictly environmental. Climate change is inextricably linked to some of the most pressing security challenges of our time. It is no coincidence that countries that are most vulnerable to climate change are often the most vulnerable to conflict and fragility."[5]

As part of the South Pacific region, the Republic of Vanuatu (Vanuatu) endures the brunt of the most severe impacts of climate change. The UN has categorised Vanuatu as a Least Developed Country, [6] a determination based on factors including the nations' rapid population growth,[7] coupled with food and water insecurity, economic health challenges, changing climatic patterns and the increasing frequency and severity of extreme climatic events. [8] Vanuatu is ranked first on the *World Risk Index*, which is calculated by the *UN Institute for Environment and Human Security* according to natural disaster risk.[9]

Vanuatu is an archipelago of 82 small islands, most of which are inhabited by small rural communities, living in coastal areas. Of Vanuatu's estimated population of 271,000 people,

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[1] Intergovernmental Panel on Climate Change, 'Global Warming of 1.5º C (Summary for Policymakers)' (Special Report, Intergovernmental Panel on Climate Change, 8 October 2018).
[2] Department of Defense, '2014 Climate Change Adaptation Roadmap' (Working Paper, Department of Defense United States of America, 2014) 1.
[3] Ibid.
[4] United Nations Security Council, 'Security Council Holds First-Ever Debate on Impact of Climate Change on Peace' (Press Release, SC/9000, United Nations, 17 April 2007)
<https://www.un.org/press/en/2007/sc9000.doc.htm>.
[5] United Nations Deputy Secretary General, 'Impacts of Climate Change Go Well beyond 'the Strictly Environments' [Environmental Issues and Sustainable Development] (Press Release, DSG/SM/1195-SC/13418-ENV/DEV/1861, United Nations, 11 July 2018) <https://www.un.org/press/en/2018/dsgsm1195.doc.htm>.
[6] United Nations University and United Nations Institute for Environment and Human Security 'World Risk Report 2016' (Report, United Nations, 2016), 46.
[7] United Nations Sustainable Development, 'Vanuatu National Assessment Report: 5 Year Review of the Mauritius Strategy for Further Implementation of the Barbados Programme of Action for Sustainable Development' (Report, United Nations, 2010) 12.
[8] Johan Schaar, 'The relationship between climate change and violent conflict' (Working paper, Sida, 2018) 15.
[9] United Nations University and United Nations Institute for Environment and Human Security 'World Risk Report 2016' (Report, United Nations, 2016), 46.

70 percent are coastal dwellers. Additionally, most islands in the archipelago have an elevation of merely 0.9m.[10] As such, the citizens of Vanuatu (known as 'Ni-Vanuatu') are increasingly vulnerable to extreme coastal weather events. Climatic events can create a chain of extended indirect and wide-reaching consequences. For instance, saltwater inundation can result in coastal erosion, which impacts the viability of a village's location and infrastructure compromising its viability, and in the worst case, rendering an island uninhabitable resulting in forced relocation. This disconnection from homelands can be a catalyst for substantial social upheaval and possible conflict.

Previously known as the New Hebrides, Vanuatu has not been immune to conflict throughout history. Tribal conflicts, colonisation by France and England, and fights for the nation's independence have all plagued the nation's history. Additionally, many nations in the South Pacific, including Vanuatu, played a major role in World War II. Historic remnants, such as shipwrecks and ruined buildings, continue to serve as visible reminders of battles won and lost. For example, the town of Luganville, on the Vanuatu island of Espiritu Santo, was home to a major U.S. military force of more than 500,000 people during the height of WWII.[11]

Despite its tranquil image Vanuatu is susceptible to, and can be overcome by, conflict. When the New Hebrides was governed by an Anglo-French Condominium, tensions erupted between the citizens of Vanuatu and colonisers.[12] Collective community action [13] resulted in the nation gaining its Independence on 30 July 1980.[14] Collective community action is now rising against the adverse effects of climate change.

The Ni-Vanuatu people have an intricate and multi-faceted relationship with the environment, relying on subsistence or part-subsistence livelihoods. Most depend on the land and sea for food and water security. Additionally, nature embodies the heart of tribal affiliations and social structures that include matrilineal and patrilineal inheritance systems.[15] The islands hold exceptional cultural and linguistic diversity, including 108 living languages, which is more per unit area than any other country. This includes deep traditional ecological knowledge and elaborate customary laws and practices, known as *kastom*.[16] The traditional systems of governance have been managed through a system of chiefdoms, which has been challenged by the introduction of western law and religion. As a consequence, law, theology and governance each operate from a paradigm of hybridisation, which inevitably affects the management of communities and the environment.

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[10] United Nations, *UN Climate Change Conference: Vanuatu* (2017) United Nations COP 23 Fiji <https://cop23.com.fj/vanuatu/>.

[11] *Welcome to Espiritu Santo* (2018) Espiritu Santo Tourism Association <http://www.espiritusantotourism.com/>.

[12] Matthew Gubb, 'Vanuatu's 1980 Santo Rebellion: International Responses to a Microstate Security Crisis' (Canberra papers on strategy and defence No 107, Research School of Pacific and Asian Studies, 1994) 3.

[13] Norman MacQueen, 'Beyond Tok Win: The Papua New Guinea Intervention in Vanuatu, 1980' (1980) 61 *Pacific Affairs* 235, 235.

[14] Ibid.

[15] United Nations, *UN Climate Change Conference: Vanuatu* (2017) United Nations COP 23 Fiji <https://cop23.com.fj/vanuatu/>.

[16] Eric Kwa, 'Climate Change and Indigenous People in the South Pacific' (Paper presented at International Union for Conservation of Nature Academy of Environmental Law Conference on Climate Law in Developing Countries post-2012: North and South Perspectives, Ottawa, 26-28 September 2008) 5.

This policy brief examines the social implications of climate change in Vanuatu, including potential drivers of conflict. It focuses on strategies for conflict prevention and peace building. It has been designed in two parts. Firstly, it identifies aspects of Vanuatu's climate vulnerabilities, including threats to livelihood security. It explores international case studies relevant to Vanuatu's preparedness for the impacts of climate change, and climate migration options. Secondly, it investigates potential future pathways for Vanuatu in responding to climate change vulnerabilities. These include utilising localised approaches which demonstrate the growing power of climate change as a community connector.

Recommendations in this brief will assist the development of domestic and international policies responding to growing evidence of the impacts of climate change on peace and security in Vanuatu.

Vanuatu's climate vulnerabilities

A. Livelihood security in Vanuatu

Seventy five percent of the rural population in Vanuatu is responsible for more than half of the nation's agricultural production, forming a vital part of Vanuatu's food security. Vanuatu's food security is dependent on the high degree of biological diversity across the islands. [17] The nation's significant reliance on natural resources is increasing because of its rapidly growing urban and rural populations. [18] This increased demand and consumption not only places additional pressure on the environment, but overburdens waste disposal capacities and contributes to a decline in biodiversity. The Pacific Regional Environment Program summarised Vanuatu's key climate change vulnerabilities between 2016 and 2030:

> Key challenges facing Vanuatu in the context of environmental management and development planning include rapid population growth and local population pressures; land tenure; water pollution, waste disposal and urbanization; a lack of awareness and understanding about environmental problems; depletion of key species such as coconut crabs and mangroves; inappropriate land use practices that may result in erosion and degraded soils, contributing to impacts on coral reeds and other ocean resources; invasive species; loss of forests and biodiversity; and the over-exploitation of natural resources and climate change.[19]

[17] Leonard Nurse and Rodger McLean 'Small Islands' in Christopher B. Field et al (eds) *Climate Change 2014: Impacts, Adaptation, and Vulnerability* (Cambridge University Press, 2014); Secretariat of the Pacific Regional Environment Programme, 'Vanuatu National Environment Policy and Implementation 2016 – 2030' (Working Paper, Government of the Republic of Vanuatu, 2017) 4.
[18] Ibid.
[19] Secretariat of the Pacific Regional Environment Programme, 'Vanuatu National Environment Policy and Implementation 2016 – 2030' (Working Paper, Government of the Republic of Vanuatu, 2017).

Since agriculture is one of the key sources of employment and income across Vanuatu, [20] the risk of violence among communities is likely to increase when drought, floods, or land over-use and degradation contribute to reduced production and economic loss. [21] Poor and vulnerable communities are more susceptible to conflict, as they do not have the same capacity to adapt.[22] For example, long-term drought may lead to a chronic breakdown in social relationships, which in turn may result in conflict. [23]

Changing climatic patterns in the South Pacific are challenging food and water security in Vanuatu. [24] The availability of water for communities and agriculture is becoming increasingly uncertain, and predicted to deteriorate. [25] Vanuatu citizens have reported water shortages as the result of changing precipitation patterns, inadequate water infrastructure, and poor management, storage and distribution of water. The 2012 visit of the UN Special Rapporteur on the right to safe drinking water and sanitation recognised shortcomings in legal and institutional frameworks. Despite efforts to establish frameworks, finite resource and funding constraints have resulted in limited capacity for improvement. [26]

Similarly, changing climatic patterns are challenging food security, with crop production being especially vulnerable. On land, excessive rain can stunt growth, water-log soil, or provide conditions that promote plant pests and diseases, while excessive dry seasons can reduce productivity. [27] In the ocean, acidification and thermal stress are immediate threats to Vanuatu's marine ecosystems and coral reefs, which are the source of a range of traditional food. Ninety percent of Vanuatu's reef system is expected to reach a critical state by 2030. [28] Aquaculture is at risk of both ocean acidification and overfishing, causing marine depletion in nearshore areas.[29]

B. International case studies informing Vanuatu's preparedness for the impacts of climate change

The Arab Spring, the Civil War in Syria, and conflict in the Lake Chad region exemplify the 'multiplier effect' of climate change, exacerbating existing vulnerabilities, leading to conflict. During the Arab Spring, extreme droughts and heat waves ruined the harvest, and the Egyptian government could no longer sustain the subsidisation of international wheat. Consequently, the price of bread tripled, activating widespread civil unrest.[30] In Syria, drought

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[20] Halvard Buhaug, 'Global Security Challenges of Climate Change' (Policy Brief, Toda Peace Institute, 2018).

[21] Schaar, above n 8, 6.

[22] Alice Blondel, 'Climate Change Fuelling Resource-Based Conflicts in the Asia-Pacific' (Asia Pacific Human Development Report: Background Paper Series No 12, United Nations Development Programme, 2012) 28.

[23] Ibid, 10.

[24] United Nations Children's Fund, 'Thirsting for a Future: Water and children in a changing climate' (Report, United Nations International Children's Emergency Fund, March 2017) 50.

[25] Ibid.

[26] World Health Organisation South Pacific Office, 'Drinking Water Safety Planning: A Practical Guide for Pacific Island Countries' (Working Paper, World Health Organisation, 2015) 18.

[27] National Advisory Board on Climate Change & Disaster Risk Reduction, 'An assessment of the impact of climate change on agriculture and food security: A case study in Vanuatu' (Working Paper, Government of Vanuatu, November 2007) 5.

[28] Johanna Johnson et al. (eds), 'Climate Change Impacts in North Efate, Vanuatu' (Working Paper, Communauté du Pacifique, 2016) 11.

[29] Ibid, 2.

[30] Troy Sternberg, 'Chinese Drought, Bread and the Arab Spring' (2012) 34 *Applied Geography* 519.

exacerbated water and agricultural insecurity, leading to economic loss in rural areas and overall large-scale internal migration to semi-urban areas, which contributed to the outbreak of civil war in 2011.[31] Most recently in 2017, the UN Security Council (SC) adopted a resolution on the conflict in the Lake Chad region. It explicitly identified climate change as a contributing factor to the region's instability.[32] Further, the G7 group has identified Lake Chad as a potential case for linking climate change with security threats, based on connections between drought, food insecurity and reduced livelihood options.[33]

These case studies demonstrate that the impacts of climate change can act as a threat multiplier, destabilising communities, contributing to the activation of conflict.[34] As planetary temperatures rise the likelihood of conflict increases. Climate change will exacerbate vulnerabilities of varying levels of influence. For example, there is an increased likelihood of collective violence due to the occurrence of droughts in ethnically divided societies,[35] and natural disasters add further tension to societies where there are other vulnerabilities, such as political repression.[36] As Scheffran *et al* explain, "the consequences of climate change depend on how vulnerable affected natural and social systems are and how sensitive they respond to the stress".[37]

Vanuatu is in the global warming 'front line'. Climatologists predict an increase in the frequency and severity of extreme climatic events.[38] For example, in 2015, Cyclone Pam created damage totaling 64 percent of Vanuatu's GDP, and left 75,000 residents homeless, while destroying 96 percent of crops, placing the country's food security at risk. The cyclone destroyed infrastructure, in what was a stark foretelling of Vanuatu's future challenges surrounding increasing climatic events.[39]

Finally, since achieving independence in the 1980s, Vanuatu's political, governance and economic frameworks have been fragile. Future institutional challenges may lead to political pressures and civil conflicts. The direct and indirect impacts of climate change compound this instability, illustrating Vanuatu's ongoing vulnerability[40] including threats to peace and security.

C. Climate migration

In Vanuatu, some coastal villages have already been forced to relocate due to the impacts of

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[31] Ibid.
[32] Schaar, above n 8, 7-6. .
[33] Ibid, 17.
[34] Colin Kelley et al., 'Climate Change in the Fertile Crescent and Implications of the Recent Syrian Drought' (2015) 112 *National Academy of Sciences* 3241, 3241.
[35] M. Brzoska, 'Weather Extremes, Disasters, and Collective Violence: Conditions, Mechanisms, and Disaster-Related Policies in Recent Research', 4 *Current Climate Change Reports* (2018), 320, 323.
[36] Ibid.
[37] J. Scheffran *et al*., 'Disentangling the Climate-Conflict Nexus: Empirical and Theoretical Assessment of Vulnerabilities and Pathways' 4 *Review of European Studies* (2012) 5, 1, 2.
[38] Poh Poh Wong and Iñigo J. Losada, 'Coastal Systems and Low Lying Areas' in C B Field, V R Barros, D J Dokken, K J Mach, M D Mastrandrea, T E Bilir, M Chatterjee, K L Ebi, Y O Estrada, R C Genova, B Girma, E S Kissel, A N Levy, S MacCracken, P R Mastrandrea, and L L White (eds) in *Climate Change 2014: Impacts, Adaptation, and Vulnerability: Part A – Global and Sectoral Aspects* (Cambridge University Press, 2014).
[39] Kathryn Reid, *2015 Cyclone Pam: Facts, FAQS, and how to help* (3 July 2018) World Vision <https://www.worldvision.org/disaster-relief-news-stories/cyclone-pam-facts>.
[40] Halvard Bugaud, Nils Gleditsch and Ole Theisen, 'Implications of Climate Change for Armed Conflict' (Working Paper, World Bank Group: Social Dimensions of Climate Change, 25 February 2008) 22.

rising sea levels. For example, in 2005, the coastal community of Lateu on the island of Tegua was moved, as a result of rising sea levels. Vulnerable residents were relocated to the higher grounds of Tegua, after homes were affected by extreme weather, linked to climate change.[41] It was noted that the relocation of communities in Tegua was to be done under a project entitled *Capacity Building for the Development of Adaptation in Pacific Island Countries*, which provides an example of a predicted increasing trend of climate migration in the region.[42]

There is a lack of national and international law, policy and planning surrounding climate displacement and migration.[43] For instance, it is unclear how such relocations should be financed, who should be compensated, where communities should move to, and by when, and who should be responsible for the implications of making such decisions.[44] The lack of mechanisms enhances risks and vulnerabilities existing within a nation. For example, resource scarcity in one area may lead to migration to more favourable, resource-abundant areas. Usually, this means internal migration from rural to urban areas, where there may be greater employment opportunities.[45] Heightened migratory flows have contributed to the expansion of peri-urban and urban settlements, often comprising housing that has not been designed to withstand extreme climatic events.[46] The coupling of increased population density in urban centres and inadequate urban planning can have disastrous and long-lasting consequences. Additionally, in Vanuatu, urban settlements are coastal and at risk from more frequent and intensified storm surges, tsunamis, and cyclones due to changes in weather patterns.[47] This was demonstrated when Cyclone Pam struck Vanuatu in 2015 and significantly damaged the capital city of Port Vila.[48]

There may be up to 150 million environmentally displaced people by the end of this century in the Asia-region alone.[49] Pressures on nature are predicted to escalate in the future, since "[g]lobal warming will drive increasingly severe humanitarian crises, forced migration, political instability and conflict…"[50] This creates unprecedented state and transboundary challenges.[51] The loss of territory due to sea level rise threatens sovereignty and territorial

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[41] United Nations, '*UN environmental body hails relocation of islanders threatened by climate change*' (6 December 2005) UN News < https://news.un.org/en/story/2005/12/162492-un-environmental-body-hails-relocation-islanders-threatened-climate-change>.

[42] American Council for the UN, 'Worldwide Emerging Environmental Issues Affecting the US Military' (Report, US Army Environmental Policy Institute) 7.

[43] Robin Bronen and Denise Pollock, '[Climate (?)]Change, Displacement and Community Relocation: Lessons from Alaska' (Working Paper, Norwegian Refugee Council, 2017).

[44] Schaar, above n 8, 8.

[45] Mhairi Gibson and Eshetu Gurmu, 'Rural to Urban Migration is an Unforeseen Impact of Development Intervention in Ethiopia' (2012) 7(11) *PLoS ONE Journal,* 1.

[46] Meg Keen, Julien Barbara, Jessica Carpenter, Daniel Evans and Joseph Foukona, 'Urban Development in Honiara: Harnessing Opportunities, Embracing Change' (Report, Australian National University and State, Society and Governance in Melanesia, May 2017), 13.

[47] Dominic O'Reilly ed., 2015, 'Urbanization and Climate Change in Small Island Developing States' (Report for the United Nations, Human Settlements Programme), 17.

[48] Catherine Wilson, *Cyclone Pam Worsens Hardship in Port Vila's Urban Settlements* (13 April 2015) Inter Press Service: News Agency < http://www.ipsnews.net/2015/04/cyclone-pam-worsens-hardship-in-port-vilas-urban-settlements>.

[49] Ian Dunlop and David Spratt, 'Disaster Alley: Climate Change Conflict and Risk' (Report, Breakthrough National Centre for Climate Restoration, June 2017) 20.

[50] Ibid.

[51] *Climate Change and Its Possible Security Implications,* UN GAOR, 64th Sess., Provisional Agenda Item 144, UN Doc A/64/350 (11 September 2009).

integrity, which can create existentialist issues for small island nations, such as Vanuatu. The growing number of uninhabitable islands is resulting in forced migration, which in turn intensifies competition for natural resources, and undermines the capacity of state institutions to maintain security. Whether internal (within Vanuatu) or cross-boundary (international), citizens of Vanuatu are increasingly at risk of becoming Environmentally Displaced Persons (EDPs).[52] EDPs are exposed to many risks [53]as they migrate internally to urban centres. For example the informal settlements in the peri-urban areas of Port Vila are expanding, compounding a variety of risks when natural hazards occur.[54] A causal link can be established when EDPs are forced to leave their homelands due to the environmental and social effects of climate change. Clashes can occur with residents in recipient regions, such as conflicts over scarce resources, employment opportunities and cultural differences.[55]

Responding to Vanuatu's climate vulnerabilities

The second part of this policy brief discusses responses to climate change within a peace and security framework. The discussion lists legal and economic possibilities, and culminates in emphasising the importance of empowering local communities.

A. A legal approach

Empowering kastom

The IPCC has acknowledged the Pacific Islands as "especially vulnerable" to the impacts of climate change.[56] This characterisation has been criticised as implying a lack of confidence in the capacity and agency of its people.[57] In reality, the opposite is more likely true. Indigenous knowledge, culture and spirituality embody the conservation and preservation of the environment at its core. In Vanuatu, *kastom* is a hybrid of customary laws and traditional ecological knowledge.[58] The notion of *kastom* can be expanded to describe a 'way of life' that is culturally distinctive.[59] In recent times, non-western views have been increasingly heard in climate change discourse. However, these voices tend to be heard in siloed forums rather than at mainstream climate negotiations.

Indigenous ontologies prioritise "relations" over "entities" and embrace humans not only as individuals, but also as defined by: their place within a community, relationship with nature

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[52] Kwa, above n 16.

[53] Ham Lini Vanuaroroa, 'National Policy on Climate Change and Disaster-Induced Displacement' (Policy Paper, International Organization for Migration, 2018) preamble.

[54] Ibid 11.

[55] Volker Boege, 'Climate change, migration (governance) and conflict in the South Pacific' (Working Paper, University of Hamburg Research Group Climate Change and Security) 2.

[56] Leonard Nurse, Roger McLean, John Agard, Lino Pascal Briguglio, Virginie Duvat-Magnan, Netatua Pelesikoti, Emma Tompkins and Arthur Webb, 'Small islands' in *Climate Change 2014: Impacts, Adaptation, and Vulnerability. Part B: Regional Aspects. Contribution of Working Group II to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change* (Cambridge University Press, 2014) 1613, 1623.

[57] Lisa Buggy and Karen Elizabeth McNamara, 'The need to reinterpret "community" for climate change adaptation: a case study of Pele Island, Vanuatu' (2016) *Climate and Development* 8(3) 270, 271.

[58] Miranda Forsyth 'Beyond Case Law: Kastom and Courts in Vanuatu' (2004) 35 *VUW Law Review* 427, 429.

[59] Margaret Jolly 'Custom and the Way of the Land: Past and Present in Vanuatu and Fiji' (1992) 62(4) *Oceania* 330, 341.

and the spiritual realm. For instance, in Melanesia, personhood is generally understood to be "relational and contextual," rather than individual.[60] As a result, communities are motivated to address climate change adaptation methods in alignment with cultural and spiritual norms, in order to protect cosmological, as well as environmental, assets.

Ni-Vanuatu people understand the importance of coupled human–nature systems to sustain their livelihoods. In Vanuatu, *kastom* not only exists in the abstract, but is cemented in state, regional and local doctrine. Article 95(3) of Vanuatu's Constitution states, "customary law shall continue to have effect as part of the law of the Republic of Vanuatu."[61] Article 47(1) also declares that the judiciary must determine the "matter according to substantial justice and whenever possible in conformity with custom."[62] As such, Vanuatu operates in a paradigm of legal pluralism, involving both traditional customary law and State law.[63] Pluralism has contributed to some of the legal, policy and management strengths and challenges presented by climate change.[64] For example, in rural areas customary law is often enforced, while in urban areas, State law is more influential.

The Ni-Vanuatu people have long-established adaptation skills which have helped them to prepare for, and recover from, natural disasters.[65]

They have also been provided with contemporary adaptation strategies and skills.

For instance, when Cyclone Pam destroyed the majority of the islands' crops, residents were offered assistance with adaptive farming practices, which included: planting climate-resilient species, and community education building a stronger understanding of the effects of climate on traditional agricultural practices.[66]

A combination of *kastom*, contemporary management principles and resilient ecosystem strategies creates a system of adaptive co-management that will become increasingly important for Vanuatu, in response to growing climate change impacts. This is because communities on a day-to-day level are more likely to be engaged with, and respond positively to, this hybridised system, along with an accompanying structure of by-laws. Indeed, localised solutions are more culturally and environmentally appropriate and empowering than top-down approaches. An educative culture of understanding and respect is essential for

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[60] Volker Boege, 'Climate Change and Conflict in Oceania' (Policy Brief No 17, Toda Peace Institute, July 2018) 12.
[61] Republic of Vanuatu Constitution, art 95(3).
[62] Republic of Vanuatu Constitution, art 47(1).
[63] Margaret Jolly, 'Custom and the Way of the Land: Past and Present in Vanuatu and Fiji' (1992) 62(4) *Oceania* 330, 341.
[64] Kirsten Davies, 'Ancient and New Legal Landscapes: Customary Law and Climate Change, A Vanuatu Case Study' (2015) 18 *Asia Pacific Journal of Environmental Law* 43, 44.
[65] *Development Assistance in Vanuatu: Building resilient infrastructure and an environment for economic opportunity in Vanuatu* (2017) Department of Foreign Affairs <https://dfat.gov.au/geo/vanuatu/development-assistance/Pages/building-resilient-infrastructure-vanuatu.aspx>.
[66] Reid, above n 39.

reducing disruptions to peace and security. It also establishes a system of mutual account-
ability and transparency between various stakeholders working towards a common goal of
ecosystem protection.

International law

Historically, Vanuatu advocated higher levels of global accountability, responsibility and
compensation for the South Pacific region and for the damage done already as a result of
developed nations' contribution to human-induced climate change. However, *The United
Nations Framework Convention on Climate Change* is limited by the absence of an enforce-
ment mechanism, its political vulnerability, and focus on greenhouse gas (GHG) emissions
mitigation. As a result, the UN Security Council (UNSC) may arguably be the most appropri-
ate body to address the risk of conflict from climate change impacts from the perspective of
international law.[67] Reframing the impacts of climate change as a potential threat to a na-
tion's peace and security will enable the issue to fall within the ambit of the UNSC and the
International Court of Justice. [68]

There are recent examples of the UNSC considering climate change as a security risk breach-
ing the 'no-harm' international law principle. [69] For instance, in the 2017 Resolution on the
Lake Chad region conflict, the UNSC acknowledged that it was necessary to recognise "the
adverse effects of climate change and ecological changes, among other factors, on the sta-
bility of the region." [70] These included "water scarcity, drought, desertification, land degra-
dation, and food insecurity," [71] with the UNSC highlighting the need for the UN and state
governments to implement appropriate risk assessments and risk management strategies.
Accordingly COP24 president Michael Kurtyka noted "local events have a butterfly effect,
they impact people's livelihoods, security, ability to provide, to produce, to function. And all
through all this they create inflammatory ground on which a conflict can breed".[72]

Similarly, recent discourse demonstrates an emerging institutional practice by the UNSC
towards increasing consideration of non-conflict events as potential threats to international
peace and security. This direction could see climate change fall within the UNSC mandate.
In a 2005 debate, the UNSC recognised food insecurity as a potential threat to international
peace and security.[73] Then, in 2014, the spread of the Ebola virus was thought to be a po-
tential trigger for conflict,[74] in what represented the greatest expansion in the scope of the

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[67] Schaar, above n 8, 10.

[68] Kirsten Davies and Thomas Riddell, 'The Warming War: How Climate Change is Creating Threats to Interna-
tional Peace and Security' (2017) 30 *Georgetown Environmental Law Review* 47, 12.

[69] Ibid.

[70] United Nations Security Council, 'Security Council Strongly Condemns Terrorists Attacks, Other Violations in
Lake Chad Basin Region, Unanimously Adopting Resolution 2349' (Press Release, SC/12773, 31 March 2017)
<https://www.un.org/press/en/2017/sc12773.doc.htm>.

[71] Ibid.

[72] Karl Mathiesen and Natalie Sauer, 'UN Security council members mount new push to address climate threat',
Climate Home News (online), 25 January 2019 <https://www.climatechangenews.com/2019/01/25/un-secu-
rity-council-members-mount-new-push-address-climate-threat/>.

[73] UN SCOR, 60th Sess., 5220th mtg, UN Doc S/PV.5220 (30 June 2005) 7.

[74] SC Res 2177, UN SCOR, 7268th mtg, UN Doc S/RES/2177 (18 September 2014) preamble.

UNSC definition of a threat to peace and security. [75] If food insecurity and the spread of disease legitimately constitute a security threat, then it is conceivable that climate change could also fall within this ambit. In fact, as the UNSC progressively mainstreams human security, the potential impacts of climate change have the capacity to hold even greater weight in international environmental law. This added legal force will help to generate more focus on mitigation and adaptation efforts to assist vulnerable nations, like Vanuatu. [76]

Should the UNSC declare climate change a legitimate threat to international security, there are various measures it may invoke. Article 41 and 42 of the *UN Charter* may allow military or non-military interventions in peacekeeping and humanitarian aid capacities.[77] Further, Article 34 authorises the UNSC to dispute any situation which might lead to international friction or give rise to a dispute,"[78] while Article 35 allows for "any UN member to request an investigation."[79] Utilising the powers of the UNSC through the *UN Charter* may allow Vanuatu to pursue formal recognition of climate change as a genuine and serious threat to security in the South Pacific and could activate more urgent measures, including resources. [80]

Climate finance and the law

Agriculture, fishing and tourism constitute the main components of Vanuatu's economy. These industries are highly dependent on long-term, predictable climatic patterns. Thus the nation's economic growth and stability are threatened through the less predictable climate as a consequence of climate change. Additionally, building and maintaining infrastructure that can withstand the predicted increased severity and frequency of extreme climatic events is critical for Vanuatu's future to enhance economic growth and reduce poverty in the region. However, this can only be achieved through the financial support of developed countries.

Article 9 of the *Paris Agreement* stipulates developed country parties shall (voluntarily) provide financial resources to assist developing country parties, with respect to both mitigation and adaptation programmes.[81] Further, Article 8 recognises the concept of climate justice by establishing "loss and damage" as an independent pillar of the international climate regime.[82] Loss and damage acknowledges the inevitable suffering climate change has imposed, and will continue to impose, on vulnerable states, and provides a legal obligation for long-term action. Loss and damage focuses on facilitating strategies, including early warning sys-

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[75] Hitoshi Nasu, 'The Place of Human Security in Collective Security' (2012) 18 *Conflict Security* 95, 95.

[76] Davies and Riddell, above n 68.

[77] Charter of the United Nations, arts 41-42.

[78] Charter of the United Nations, art 34.

[79] Charter of the United Nations, art 35.

[80] Davies and Riddell, above n 68.

[81] *Climate Finance* (2016) United Nations: Climate Change <https://unfccc.int/topics/climate-finance/the-big-picture/climate-finance-in-the-negotiations>. See also Conference of the Parties, United Nations Framework Convention on Climate Change, *Report of the Conference of the Parties on Its 21st Session, Held in Paris from 30 November to 11 December 2015 – Addendum – Part 1* UN Doc FCCC/CP/2015/10/Add.1, art 9.

[82] Conference of the Parties, United Nations Framework Convention on Climate Change, *Report of the Conference of the Parties on Its 21st Session, Held in Paris from 30 November to 11 December 2015 – Addendum – Part 1* UN Doc FCCC/CP/2015/10/Add.1, art 8.

tems, risk management strategies, insurance facilities, non-economic loss calculation mechanisms and resource-sharing hubs.

However, the concept has been described as an "ambitious compromise" obtained by developed states hoping to implement soft solutions, rather than commit to financial and legal liability schemes.[83] The exclusion of liability means the pillar of loss and damage cannot help to overcome the issue of establishing legal causality in climate change actions. Nonetheless, while this exclusion limits the mechanism's scope, it does not displace existing international laws, such as human rights law, world heritage law, the law of the sea, or general international law involving state responsibility. While the *Paris Agreement* provides a solid foundation for action, realising its goals in practice requires enhanced support for vulnerable nations, such as Vanuatu, while simultaneously reducing GHG emissions.[84]

As South Pacific neighbours, Australia and New Zealand have a responsibility to support Vanuatu. Greater collaboration and collective action among all actors is necessary to improve access to climate finance. Australia recently dedicated $3 billion AUD towards infrastructure in the South Pacific, with Prime Minister Scott Morrison noting "Australia has an abiding interest in a south-west Pacific that is secure strategically, stable economically and sovereign politically."[85] While such financial support is promising, greater pressure could be placed on neighbouring developed states. Applying the international environmental laws principle of *Common but Differentiated Responsibilities and Respective Capabilities* acknowledges the disproportionate contribution of adverse human-induced climatic harm that can be attributed to developed states. It helps to distribute responsibility, and places the onus on developed states to provide remedies for vulnerable nations, such as Vanuatu.[86] A further principle of international law that is increasingly underpinning climate litigation is *Intra- and inter-generational equity and justice*, although it is yet to be codified. The application of this principle is important to the legacy of climate change on future generations of Ni-Vanuatu citizens and their rights to a peaceful and secure future.

B. Localised approaches

Policy

The value of *kastom*, international environmental law and climate finance as a means of addressing the impacts of climate change in Vanuatu would be diminished in the absence of adequate policy, education and communication tools.[87] In the light of this, a nationwide '*Climate Change and Disaster Risk Reduction Policy'* was developed to enhance the resilience

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[83] Conference of the Parties, United Nations Framework Convention on Climate Change, *Report of the Conference of the Parties on Its 21st Session, Held in Paris from 30 November to 11 December 2015 – Addendum – Part 1* UN Doc FCCC/CP/2015/10/Add.1, art 8.

[84] *Climate Finance* (2016) United Nations: Climate Change <https://unfccc.int/topics/climate-finance/the-big-picture/climate-finance-in-the-negotiations>.

[85] David Wroe, 'Scott Morrison splashes cash in the Pacific as China fears loom' *The Sydney Morning Herald* (Sydney) 8 November 2018. <https://www.smh.com.au/politics/federal/scott-morrison-splashes-cash-in-the-pacific-as-china-fears-loom-20181107-p50emv.html>

[86] Rishika Khare, 'The Principle of 'Common but Differentiated Responsibilities' and the challenges posed by it in the context of international climate governance' (2016) 3 *International Journal of Law and Legal Jurisprudence Studies* 98, 99.

[87] 'Vanuatu National Environment Policy and Implementation 2016 – 2030' (Working Paper, Government of the Republic of Vanuatu, 2017) foreword.

and awareness of the Ni-Vanuatu people. Based on six founding principles (accountability, sustainability, equity, community focus, collaboration, and innovation), the policy emphasises transparency among stakeholders.[88] The policy excludes conflict prevention mechanisms, relying on the founding principles to ensure that peace is maintained in climate change actions.

Education

Education programmes taught at schools and in communities are helpful in providing strategies to prevent potential hostility[89] particularly when based on 'lessons learnt' from previous disasters and disaster risk reduction schemes.[90] Efforts are best invested in establishing and maintaining open and accessible channels of communication, where educators can disseminate information and build networks to link shared resources widely.[91] Tensions in Vanuatu, which may lead to conflict, can be alleviated between communities and government agencies, through open and accessible modes of communication, embedded trust, and good governance.

Local management and leadership

The Pacific Islands receive more aid per capita than any other region in the world, some of which often fails to reach local levels [92] Academics have long recognised top-down approaches to aid policy that are driven by external agencies and experts, rather than local needs, as "wholeheartedly ineffective".[93] Issues of mismanagement, maintenance, and mistrust have been behind historic aid project failures,[94] which may clash with long-enshrined traditions, customs and power relations. While it is important to acknowledge the need for international and national frameworks, communities across the Pacific Islands have demonstrated an emerging resolve to prioritise localised measures to support climate change adaptation. This 'grass roots' approach will assist the early mitigation of climate related conflicts.

Social marketing research affirms that people are more likely to take action on an issue when they feel a strong sense of affiliation with the person, or institution, making the request.[95] According to the *Centre for Research on Environmental Decisions*, "local leaders may be more likely to set a norm for climate action than calls for action from people outside the community."[96] Learning from community leaders enables the inclusion, and bridging, of social and cultural barriers. [97] Utilising trust relationships within established community

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[88] Ibid, 2.

[89] Phyllis Kotite, 'Education for conflict prevention and peacebuilding: Meeting the global challenges of the 21st century' (IIEP's Occasional Paper, United Nations Educations, Scientific, and Cultural Organization, 2012) 12.

[90] 'Vanuatu National Environment Policy and Implementation 2016 – 2030' (Working Paper, Government of the Republic of Vanuatu, 2017) 15.

[91] 'Vanuatu National Environment Policy and Implementation 2016 – 2030' (Working Paper, Government of the Republic of Vanuatu, 2017) 14.

[92] Manohar Pawar, *Community development in Asia and the Pacific* (Routledge, 2009) 77.

[93] Buggy and McNamara, above n 57, 271.

[94] Ibid, 270.

[95] Centre for Research on Environmental Decisions Connecting on Climate: A Guide to Effective Climate Change Communication (Earth Institute, Colombia University, 2014).

[96] Ibid, 10.

[97] Elise Amel, Christine Manning, Brian Scott and Susan Koger, 'Beyond the roots of human inaction: fostering collective effort toward ecosystem conservation' (2017) 356(6335) *Science* 275, 277.

structures helps to break down existing psychological-cognitive barriers to addressing the impacts of climate change.[98] These lessons support the importance of empowering local Vanuatu leaders, such as Chiefs, in addressing the impacts of climate change, together with the maintenance of peace.

Climate change as a community connector

Previous examples, such as the Civil War in Syria, demonstrate how the impacts of climate change can bring people together in 'negative' and 'destructive frameworks of conflict. There are opportunities to reverse this scenario by utilising the 'negative' impacts of climate change in a constructive way, by driving 'positive' community connectors and connections. Community cohesion and support, on local, national and international levels, can result when experiences and stories are shared by affected communities. Some of the most pertinent voices are those being heard from young people in terms of the intergenerational injustices presented by the changing climate. For example, when central and eastern Australia was declared a drought zone in 2018, a fundraising campaign started by a 10-year-old boy, raised more than $1 million in less than five weeks.[99] The Muslim Charity Foundation delivered 33 tonnes of hay to Brisbane farmers and,[100] Coles and Woolworths supermarket chains matched dollar-for-dollar customer donations to drought-relief schemes.[101] Activating stronger community connections and support for Vanuatu, particularly that of developed states, will require the increased dissemination of climate change narratives.

Adaptation coalitions

Adaptation Coalitions form a key part of the approach to climate change adaptation, involving the integration of science and local knowledge.[102] Adaptation Coalitions are "community groups that come together as an internal coalition and form alliances with outside groups in order to achieve common desired futures around climate change vulnerability and impacts."[103] The foundation of the *Adaptation Coalition Framework* (ACF) relies on strengthening internal organisations to take action, by building social capital, then linking these empowered groups to goal-aligned external partners. For example, more than 25 communities across five Latin American states have trialed Adaptation Coalitions with significant success marked by the mobilisation of local personnel, access to appropriate financial and material

[98] Susanne Moser, 'Communicating Climate Change – Motivating Civic Action: Opportunity for Democratic Renewal' (Draft Report, Institute for the Study of Society and Environment National Centre for Atmospheric Research, 2006), 3.

[99] Sam Duncan and Stephen Fitzpatrick, 'Fiver for a Farmer campaign raises $1m for drought relief' (8 September 2018) The Australian <https://www.theaustralian.com.au/national-affairs/fiver-for-a-farmer-campaign-raises-1m-for-drought-relief/news-story/be1bae02225aa5cfed8e98b92c0f7e04>.

[100] Laurie Lawira, 'Muslim charity donates three truckloads of hay to drought-stricken farmers' (17 September 2018) SBS News < https://www.sbs.com.au/news/muslim-charity-donates-three-truckloads-of-hay-to-drought-stricken-farmers>

[101] Australian Associated Press, 'Coles, Woolworths: Supermarkets fundraising for drought relief' (9 August 2018) News.com <https://www.news.com.au/finance/business/retail/coles-to-match-dollarfordollar-customer-donations-to-drought-relief/news-story/88d7841cac724b0a00a67a7c44bebf09>

[102] Dan Smith and Janani Vivekananda, *A climate of conflict: the links between climate change, peace and war* (London: International Alert, 2007) 29.

[103] Maximillian Ashwill, Cornelia Flora and Jan Flora, 'Building Community Resistance to Climate Change: Testing the Adaptation Coalition Framework in Latin America' (Report, The International Bank for Reconstruction and Development: The World Bank, November 2011), vii.

resources, and agreements made between communities and external institutions.[104] Increasing aid flows does not translate into more effective outcomes;[105] investment in social capital, along with financial capital, holds greater promise for the Pacific Islands, including Vanuatu.

Conclusion

This policy brief has outlined why Vanuatu is highly vulnerable to the impacts of climate change and how these vulnerabilities threaten the nation's peace and security. The 'perfect storm' is brewing as the nation's population grows and its exposure to climate risks escalates, as the planet continues to warm. Of particular concern is the future of rural citizens who constitute the majority of the nation's population. This brief provides the following recommendations that span local, national and international jurisdictions and have been designed to address some of these mounting concerns. Embedded in each recommendation is the aim to maintain peace and security by minimising the likelihood of conflict.

Policy recommendations

1. International: UNSC recognising climate change as a security threat

International frameworks need to respond adequately to the threats posed by the impacts of climate change. The UNSC's recognition of climate change as a threat to the security of vulnerable nations, could prompt necessary mitigation and adaptation measures to prevent climate change induced conflict.

Recommendation: Vanuatu may resolve to bring their case, pertaining to the damages and losses the nation has incurred through the impacts of climate change, before the UNSC. Their case could be based on the threats imposed on the nation's current and future viability, including threats to its peace and security.

2. National: Policy on resettlement and internal displacement

At a national level a policy on the resettlement and internal displacement is required. Planned relocation is an option of last resort, when communities have no alternative other than to leave their home localities which are no longer viable. The policy will ensure that lessons learnt from previous relocation experiences globally, and in the Pacific, are considered, so that movement takes place with dignity, appropriate safeguards and human rights protections.[106] To achieve this requires extensive preplanning for the relocated and recipient communities. Key to the success of such a policy and its implementation is the identification of resources to facilitate relocation, together with the evaluation of displacement risks, including those likely to lead to conflict.[107]

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104 Ibid.
105 Buggy and McNamara, above n 57, 271.
106 Vanuaroroa, above n 53, 7.
107 Ibid 8.

Recommendation: Develop a national policy on the resettlement and internal displacement for the climate displaced citizens of Vanuatu.

3. Local: Community-led approach

The potential for conflict is driven by compelling climate drivers. For example: food insecurity due to changing climatic patterns, and the inundation of land due to sea level rise and erosion. These vulnerabilities vary in type and levels of influence. They may lead to conflict including the forced environmental displacement of peoples. The key is to be able to identify and mitigate these vulnerabilities in the pre-phase to conflict, in the interests of maintaining peace and security. Vanuatu communities in rural areas are skilled in adapting to changing environmental conditions and living within the bounds of nature. Cultural issues at the grass roots level can both bring communities together and/or cause conflict between groups.[108] Therefore, it would be advantageous to incorporate *kastom*, which encapsulates traditional customary law and knowledge, as a platform, when developing contemporary climate adaptation measures in Vanuatu.[109] Empowering local leadership, such as through the Chiefs, and education programmes, can also become powerful tools in the mitigation of conflict.[110]

Recommendation: Identify conflict and climate vulnerabilities, and their levels of influence at a local level. Based on this evaluation, develop risk reduction approaches to ensure the maintenance of peace. The incorporation of traditional culture (*kastom*), knowledge and local leadership (Chiefs) will ensure that initiatives are appropriate and engage local communities.

4. Local to international: Climate change as a community connector

There are opportunities to reframe the 'negative' impacts of climate change in a constructive way, as a 'positive' community connector. This approach offers the benefits of activating stronger global community connections and support for Vanuatu, particularly the support of developed states.

Recommendation: Increase the dissemination of Vanuatu's local climate change narratives. This will build international awareness of the local plight of the nation by utilising climate change as a community connector.

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[108] K. Kathik, 'Consequence of Cross Cultural Misunderstanding- A Shipboard Perspective' (2014) 7 *Indian Journal of Science and Technology* 6, 7.
[109] Ibid.
[110] Ministry of Justice & Community Services, 'Conflict Management and Access to Justice in Rural Vanuatu' (Working Paper, Department of Foreign Affairs and Trade Australia, July 2016) 6.

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