



MESSAGE IN A BOTTLE

August - September 2020





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Introduction

This weekly update aims to highlight recent news on climate change, migration, and the Pacific Island Countries and Territories.

Prepared as a part of the CLI_M_CO2 project, undertaken at the World Trade Institute, University of Bern, Switzerland.

01-15 August 2020

Organisations update

UNFCCC

A new handbook on institutional arrangements to support transparent reporting of climate actions has been published by the Consultative Group of Experts.

The handbook aims to support developing countries to improve their capacities to implement the existing measurement, reporting and verification (MRV) arrangements under the climate change convention, in view of the transition to the more stringent enhanced transparency framework (ETF) under the Paris Agreement.

In publishing the handbook, the CGE is aiming to fulfill its mandate of support to developing countries in the transparent reporting of their climate actions.

<https://unfccc.int/news/new-technical-handbook-on-climate-action-transparency-reporting-published>

The handbook is available at: https://unfccc.int/sites/default/files/resource/Hand%20book_EN.pdf

Pacific Island Countries & Territories news update

PNG - Australia

Leaders of Papua New Guinea and Australia have signed a Comprehensive Strategic and Economic Partnership.

PNG's prime minister James Marape and his Australian counterpart Scott Morrison signed the partnership at a virtual summit yesterday.

The agreement looks to elevate relations in areas including security, social and human development, and economic co-operation.

Marape thanked Australia for its ongoing support to PNG for fighting Covid-19 amidst a worrying surge in cases in the capital Port Moresby.



Morrison told his counterpart it was hard to believe how much the world had changed since their last bilateral summit a year ago.

"The impact on our countries, our peoples, on our societies, our economies has been simply devastating. And I know that has been true as much for Papua New Guinea as it has been for Australia," Morrison said.

A statement from Marape's office said the Papua New Guinea-Australia Comprehensive Strategic and Economic Partnership (CSEP) provided the strategic context to elevate and advance relations between both countries over the next ten years and beyond and encompasses commitments around six core pillars:

- (1) Strong Democracies for a Stable Future
- (2) Close Friends, Enduring Ties
- (3) Economic Partnership for Prosperity
- (4) Strategic Cooperation for Security and Stability
- (5) Social and Human Development
- (6) Near Neighbours, Global Partners

Prime Minister Marape said "each of these pillars embody the mutual values and beliefs that our two nations share", adding that the partnership fell within the framework of PNG's 'friends to all and enemies to none' foreign policy approach.

"I am particularly pleased that the agreement recognises our government's ambition to see 50 percent of donor programs dedicated to supporting improved, high-quality social and economic infrastructure consistent with our longer term goals", Marape said.

<https://www.rnz.co.nz/international/pacific-news/422883/png-and-australia-sign-comprehensive-strategic-partnership>



16-31 August 2020

Organisations update

UNFCCC

The UN's top climate change official Patricia Espinosa is calling on those governments who have not yet done so to ratify the Doha Amendment to the Kyoto Protocol so that it can enter into force.

The Doha Amendment established a second emission reduction commitment period for 37 countries that runs from 2013 to 2020. The Kyoto Protocol, which took effect in 2005, sets binding emission reduction targets for developed countries and economies in transition. Its first commitment period ran from 2008-2012 and set an average reduction target of 5% compared to 1990 levels.

During this time, the emissions of the 37 developed countries and economies in transition that had reduction targets declined by more than 22% compared to 1990, far exceeding the initial target of 5% compared to 1990.

According to UNFCCC Executive Secretary Patricia Espinosa, the entry into force of the Doha Amendment would be an important signal of multilateral commitment, and contribute to overall efforts to address the climate emergency.

For entry into force of the Amendment to be triggered in 2020, 144 Parties to the Kyoto Protocol must deposit their instrument of acceptance with the Depository. To date, 140 countries have ratified the amendment, so that only four more ratifications are needed for it to enter into force.

"For those who have already ratified, I thank you, but I call on you to reach out to those who have yet to ratify. We need all hands on deck to bring this home," she said.

<https://unfccc.int/news/all-hands-on-deck-for-the-doha-amendment>

Pacific Island Countries & Territories news update

Australia

Amnesty International has told the United Nations that Australia is still failing to protect the rights of refugees it sent to Papua New Guinea and Nauru.

The NGO prepared a submission for the upcoming Universal Periodic Review (UPR) of Australia's human rights record, which all UN member states are subjected to.

Amnesty said it was "deeply concerned that refugees and people seeking asylum in Australia continue to suffer many human rights violations".



It said Canberra's policies of deterrence and detention, particularly those targeting people arriving by boat, punish people forced to flee persecution and who sought safety in Australia.

Over 370 people are still held offshore in PNG and Nauru as part of an agreement that all refugees arriving in Australia by boat be detained in the Pacific countries.

In its last review, Australia accepted many recommendations pertaining to refugee rights both onshore and offshore.

But Amnesty said that seven years later, many of these men and women were still suffering terrible conditions.

The NGO also raised concern about ongoing racial discrimination against Indigenous Peoples in Australia, whose health, life expectancy, education and employment indicators fall well below the national average.

In the previous UPR there were 80 recommendations to improve the rights and welfare of Indigenous Peoples.

Australia claimed it was on course to meet three of its 'Closing the Gap' targets for Indigenous Australians.

However, Amnesty said that according to the most recent 2019 Closing the Gap Report just two of those targets were on track, 12 years after they were first set.

Australia's UPR is scheduled for January-February 2021.

<https://www.rnz.co.nz/international/pacific-news/423687/australia-still-not-protecting-refugee-rights-amnesty-says>

The submission of Amnesty International is available at:
<https://www.amnesty.org/download/Documents/ASA1228382020ENGLISH.PDF>



01-15 September 2020

Organisations update

PDD

The Platform on Disaster Displacement (PDD), under the Pacific Response to Disaster Displacement (PRDD) project, is set to undertake a legal analysis and research on national and regional policies, laws, and effective practices in the Pacific on admission and stay in disaster and climate change contexts. This is part of emerging efforts to strengthen public policies and the institutional capacity of Pacific Island Countries and Territories (PICTs) to develop and implement guidelines, policy instruments, regional tools, and/or frameworks regarding disaster displacement. This includes policies and practices at the national and regional level that can be used to facilitate safe, orderly, and regular human mobility in the context of disasters and the adverse effects of climate change.

A consultant, Mr. Bruce Burson, along with Professor Richard Bedford and Ms Charlotte Bedford have been commissioned to undertake this consultancy for the PDD. The predecessor to the PDD, the Nansen Initiative, also worked closely with Mr. Burson and Prof. Bedford, including for the 2013 report on Clusters and Hubs: toward a regional architecture for voluntary adaptive migration in the Pacific.

By means of a desk-based literature review, the consultancy will begin to build the relevant evidence base necessary to provide guidance and advice to States on possibilities for a Regional Framework and/or Guide for Humanitarian Entry and Stay, through mapping and systematization of existing legislation, policy instruments, effective practices and standards, as well as gaining a better understanding of temporary human mobility flows and dynamics (e.g. migration or displacement) between Pacific Island Countries and Territories (PICTs) who are members of the Pacific Islands Forum Secretariat (PIFS). In addition, the consultancy will also map such policies, practices, standards and flows into New Zealand and Australia as PIFS Member States with significant temporary inflows of nationals of PICTs.

The output of this consultancy will be directly relevant for the subsequent consultations with PICTs and the possible development of a Guide on Humanitarian Admission and Stay for people displaced or compelled to move across borders or remain in-country in the context of disasters linked to natural hazards, the adverse effects of climate change and environmental degradation, an expected result of the PRDD project.

<https://disasterdisplacement.org/legal-analysis-and-research-in-the-pacific-on-admission-and-stay-in-disaster-and-climate-change-contexts>



Pacific Island Countries & Territories news update

Pacific Islands

PIFS HQ, Suva, FIJI: Pacific Trade Ministers from Forum members of the World Trade Organisation (WTO), will meet the nominated candidates for the Director-General of the World Trade Organisation this morning.

The meeting is an opportunity for Pacific Islands Forum WTO Members to assess the candidates and inform their voting preferences. Each candidate will have the opportunity in the virtual meeting to speak directly to the Forum WTO Trade Ministers of their vision for the global body, and how this vision aligns with regional priorities such as fisheries subsidies, trade and climate change, oceans and sustainable development.

“The position of the Director-General of the WTO is clearly pivotal in ensuring that global trade body is progressive, responsive, inclusive and that its benefits are shared by all its 164 members including the smallest and the least developed”, says Minister Faiyaz Siddiq Koya, Minister for Commerce, Trade, Tourism and Transport of Fiji and the current Chair of the Forum Trade Ministers .

The decision to meet with the WTO candidates also comes after the annual trade ministerial meeting this February, where Pacific Islands Forum Trade Ministers reaffirmed their commitment to the WTO’s multilateral trading system. Ministers had noted threats to the stability and predictability for world trade from unilateral action. They reiterated their commitment to delivering an outcome on fisheries subsidies, encouraging Forum members to work closely together to implement the Pacific Future of Fisheries Roadmap. Ministers also recognised the multilateral trading system of the WTO as a platform to progress regional trade priorities, including addressing the impact of fisheries subsidies on sustainability.

“This is a decisive moment for the WTO members to select a Director-General that can rebuild trust amongst the WTO Members, instil confidence in the global trade body and help members shape a WTO that will not only help deliver prosperity and sustainable development equally to all Members but will be responsive to the needs of economically vulnerable Members of the global community”, says the Secretary General of the Pacific Islands Forum, Dame Meg Taylor.

The outgoing Director-General Roberto Azevedo announced his resignation in May, a year short of completing his term next August. Eight candidates from Egypt, Kenya, Korea, Mexico, Moldova, Nigeria, Saudi Arabia, and the United Kingdom are in the race for the position which Azevedo will vacate this weekend.

Following their special meeting with the candidates, Pacific Forum WTO Members Australia, Fiji, New Zealand, Papua New Guinea, Samoa, Solomon Islands, Tonga, and Vanuatu join other WTO members to continue rounds of consultations towards the announcement of a new WTO Director General, in November 2020.

<https://www.forumsec.org/pacific-islands-forum-recalls-observer-mission-team-to-the-2020-vanuatu-general-election/>



16-30 September 2020

Organisations update

UN

The United Nations is marking its 75th anniversary with a one-day high-level event at the General Assembly (UNGA 75), under the theme: 'The Future we Want, the UN we Need: Reaffirming our Collective Commitment to Multilateralism'. This year's General Assembly has a strong focus on the topics of sustainability and climate change.

Additional events expected to take place during the opening weeks of the 75th session of the UNGA include: Biodiversity Summit; and a high-level meeting to celebrate the 25th anniversary of the Fourth World Conference on Women (FWCW), which took place in Beijing, China in September 1995 (Beijing+25).

Climate Week New York 2020 will take place virtually in parallel to the opening week of the UNGA.

Information about the 75th session is accessible at: <https://www.un.org/en/ga/>

ECHR

"It was only ever a matter of time before the European Court of Human Rights (ECtHR) would be called upon to interpret the application of the ECHR to the climate crisis. Climate change litigants have scored a series of notable successes in domestic courts of late. Most famously in the Urgenda decision delivered by the Dutch Supreme Court in December 2019, holding that the Dutch government's climate change plans violated articles 2 (right to life) and 8 (right to respect for private and family life) of the ECHR as a result of the serious risks posed by climate change (discussed here). And more recently, the decision delivered by the Irish Supreme Court in Friends of the Irish Environment, finding that Irish climate change mitigation plans lacked important details (even if the arguments based on the ECHR were rejected by the Court), discussed here. At the time of writing, the so-called People's Climate Case is pending before the CJEU.

Not surprisingly then, on September 3rd six children from Portugal, aided by the Global Legal Action Network, filed a complaint before the ECtHR alleging that 33 European countries violate their article 2, 8 and 14 rights (right to enjoy ECHR rights without being discriminated). This post discusses three main challenges facing the claimants as these relate to the claimants' reliance on international law, the margin of appreciation, the actual environmental standards developed under the ECHR and the fact that the applicants have one straight to the ECtHR without engaging domestic courts."

To read the rest of the article, please visit: <https://www.ejiltalk.org/the-european-convention-of-human-rights-and-climate-change-finally/>

To learn more about the case, please visit: <https://youth4climatejustice.org/the-case.html>



EU

The European Commission presented its new Pact on Migration and Asylum, which is meant to be a 'flagship initiative' of the Von der Leyen Commission that provides a new 'fresh start' to deal with the complex challenges posed by migration in a globalised world.

The initiative, which is the result of an extended period of consultation with all Member States and the European Parliament, is meant to deal with all aspects comprising migration and asylum policy in a comprehensive way, combining responsibility and solidarity between Member States in order to move away from 'ad-hoc solutions' towards a predictable and reliable migration management system. The new Pact is inspired by the EU's limitations in dealing with the 2015 refugee crisis and recent events such as the burning down of Moria refugee camp. Specifically on this issue, the Commission is also proposing the creation of a European task force to resolve the emergency situation in Lesvos in a durable way.

<https://eulawlive.com/commission-presents-new-pact-on-migration-and-asylum/>

Pacific Island Countries & Territories news update

Pacific Islands

"Facing constant threats from climate change and wary of the possible spread of COVID-19 to their shores, Pacific Island leaders on Friday touted their own environmental action plans and called for more aggressive climate action from other nations, including rapid shifts toward clean energy.

"All countries and peoples are in a global war against climate change. We have witnessed deadly fires in the US, typhoons in the Caribbean and in the Pacific, and floods in Asia. It is a war that we can win, but we must be much more aggressive in combatting it," David Panuelo, President of the Federated States of Micronesia, the first of several Pacific Island leaders to speak today, said in a pre-recorded address.

He said "climate change is our single greatest long-term security threat. Rising waters threaten to make life in remote atolls impossible. Higher temperatures threaten crops, livestock, and fish. The world must transition to sustainable and renewable energy."

Indeed, coal and natural gas are unsustainable solutions for the environment and are harmful to both economic growth and equality of opportunity. "If our world is to fulfill its commitments under the Paris Agreement, all nations must make a unified and global effort," President Panuelo said, noting that, for example, through the Montreal Protocol, some 98 per cent of ozone depleting substances have been phased out by the global community.

Action today will secure oceans' prosperity tomorrow

He went on to explain that Micronesia's exposure to the Pacific Ocean carries risks beyond climate change. According to a report by the World Economic Forum, he said, by 2050 there may be more plastics than fish in our oceans.

"As such, in February 2020, he had signed legislation into public law which bans the importation of Styrofoam and one-time-use plastics into Micronesia. Further, over the next five years, Micronesia



would partner with the Blue Prosperity Coalition to seek to protect 30 per cent of its ocean's Exclusive Economic Zone by 2030.

"Micronesia is thus taking actions today for our ocean's prosperity tomorrow. I urge all peoples and nations to join our efforts. We cannot allow COVID-19 to halt efforts such as the Post-2020 Biodiversity Framework or the intergovernmental negotiations on the Biodiversity Beyond National Jurisdiction (BBNJ) instrumentation," he stated.

For his part, Kausea Natano, the Prime Minister of Tuvalu, said that while his island nation was still COVID-19 free, "the ripple effects of this deadliest virus has come at a huge cost to our economy. Unemployment in our fisheries and tourism sectors has soared and remittances dropped significantly. Food security was affected as supply chains were disrupted."

"Covid-19 has significantly disrupted economies and societies right across the world. Indeed, [it] has reshaped the contours of the normal way of things, placing us on a 'new normal'. Therefore, we must not only think outside the box, but we must also work outside the box," he explained.

Safety of 'Blue Pacific' tied to climate action

And with that in mind, Prime Minister Natano said the United Nations and its Member States must work collaboratively to build back better countries and economies that are inclusive and leave no one behind; protect the health and wellbeing of all; preserve natural and marine environments; are low emissions and climate smart; and build resilience to future crises.

He stressed that the shared prosperity and security of "our Blue Pacific" can only safely exist if the international community pursues efforts to limit global warming to 1.5 Celsius. The transformation and investment response to the COVID-19 pandemic must also serve to build our resilience to the impacts of climate change.

"If we failed this, then we are putting additional debt into our already exhausted capacities, which can further exacerbate climate crises going forward," he said, calling for stronger political will from all countries towards full implementation of the Paris Agreement, the SAMOA Pathway for small island developing States, and the Istanbul Plan of Action for landlocked developing States.

In his virtual address, Taneti Maamau, President and Minister for Foreign Affairs and Immigration of Kiribati, said that of 'great importance to Kiribati and our Blue Pacific is without question, the alarming dilemma of our present time, climate change.

To this end, his Government continues to implement critical projects to build resilience, including the Peacebuilding Fund's climate security project, which he launched in Kiribati earlier this month.

Joint combat against COVID-19 and climate crisis

"In solidarity with our Pacific Islands Forum family, we also remain committed to securing our maritime boundaries, amid the impacts of climate change. This is a matter of sovereignty," he added.

"While COVID-19 is our immediate crisis, we must continue to work on the other challenges that confront us all, in particular climate change, the single greatest threat to the livelihood, security and wellbeing of the Pacific and its peoples," he said, recalling the Kainaki II Declaration in 2019 adopted by leaders at the end of the 50th Pacific Islands Forum, and the 2018 Boe Declaration, on security in the Pacific.



Next up, James Marape, Prime Minister of Papua New Guinea, said that to protect his country and people from the spread of the coronavirus, his Government had acted early and fast, putting in place the necessary preventive measures in policy and law, including passing a National Pandemic Act, to deal with COVID-19 and similar outbreaks in the future.

“This has cushioned us against the loss of lives, with just six so far,” he said, adding that Papua New Guinea was also working successfully at the regional level with the Pacific Islands Forum to curb the spread of the disease. Nevertheless, the net effect of the pandemic had resulted in job losses, export and other revenue losses, and stalled development activities.

“Unless and until an effective vaccine is developed and made available to use, the health threats of COVID-19 cannot be underestimated,” warned Prime Minister Marape, and stressed that any approved vaccine must be considered a “public good” and be made widely available for the benefit of all.

Protecting maritime fisheries

As a maritime nation, Papua New Guinea, stressed its Prime Minister, gives high priority to the protection of the maritime and fisheries sector, which represents a quarter of the annual budget and employs 80 per cent women, especially in the canneries of the tuna.

In support of this sector, the Government launched in July 2020 its very first National Oceans Policy 2020-2030, to ensure that the oceans, seas and their resources are correctly and sustainably coordinated, managed, protected, governed and used.

Finally, on Friday, Pohiva Tu’i’onea, Prime Minister and Minister for Public Enterprises of Tonga said that while small island developing States, including his own, contribute to no more than one per cent of global greenhouse gas emissions, “it is unfortunate that we continue to bear the brunt of this climate injustice.”

As a result, Pacific Island countries continue to be imperiled by destructive tropical cyclones of unprecedented magnitude. The most recent had been Tropical Cyclone Harold in April of this year, which wreaked havoc on four Pacific Island nations, namely, Fiji, Solomon Islands, Vanuatu, as well as Tonga, he said “and this is while we grapple with the distressing effect of the COVID-19 outbreak.”

Recalling that Pacific Island Forum Leaders consistently echoed the need for urgent climate action, Mr. Tu’i’onea, in his pre-recorded address, reaffirmed Tonga’s commitment to achieving the goal of limiting global warming to 1.5° Celsius.

At the same time, he said that while 2020 was marked as the ‘Year of Delivery’ for powering Tonga’s sustainable development through the attainment of 50 per cent renewable energy penetration, project delays and the sudden halt to the market supply chains caused by the global pandemic, had led to a major disruption in efforts to achieve that target.

Science-based solutions critical for ocean preservation

“However, agreements have been signed for grant funding, by way of public-private partnership and the fervent support of our development partners, will continue to drive Tonga’s Sustainable Development Goal 7 (SDG 7) objectives,” he said, citing his country’s push towards solar, wind and battery energy and other innovative technologies.



He went on to say that Tonga was also pressing ahead with its work towards achieving SDG 14 (conservation and sustainable use of the ocean) through, among others, measures taken to establish Special Management Areas (SMAs) initiatives, and the implementation of the Tonga Marine Spatial Planning Project.

“We cannot overemphasize the urgency for action to protect and sustainably use the world’s ocean, seas and marine resources,” the Prime Minister said, but stressed that relevant actions could only be meaningful and effective if derived from science-based and innovative information and data.

As such, Tonga supported the UN Decade of Ocean Science for Sustainable Development 2021 – 2030, which provides an overarching framework that will allow ocean science to support countries in their sustainable development of the ocean.”

<https://news.un.org/en/story/2020/09/1073852>