



UNITED NATIONS  
GENERAL ASSEMBLY

# Vanuatu's perspectives on Climate vulnerability, Assessing L&D, and Climate Justice at COP27 and beyond

*Dr. Christopher Bartlett*  
Climagte Diplomacy Manager  
**Republic of Vanuatu**



2 November 2022  
**CSE Loss and Damage Webinar**

The world has **warmed >1.1 Celcius** since the industrial revolution.  
Human greenhouse gases emissions are responsible,  
primarily due to the **combustion of fossil fuels**

















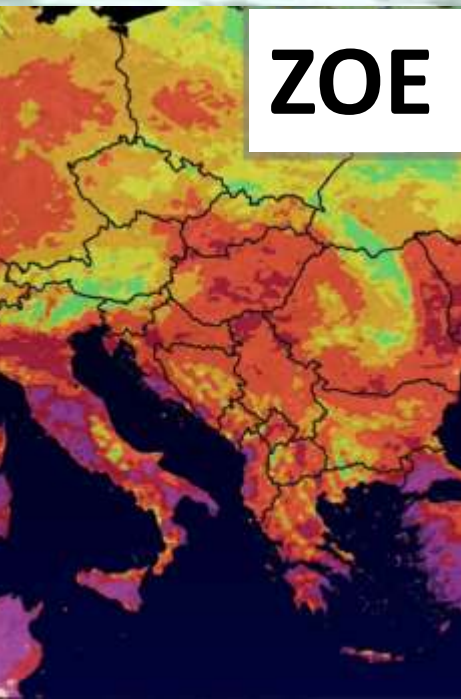












**ZOE**

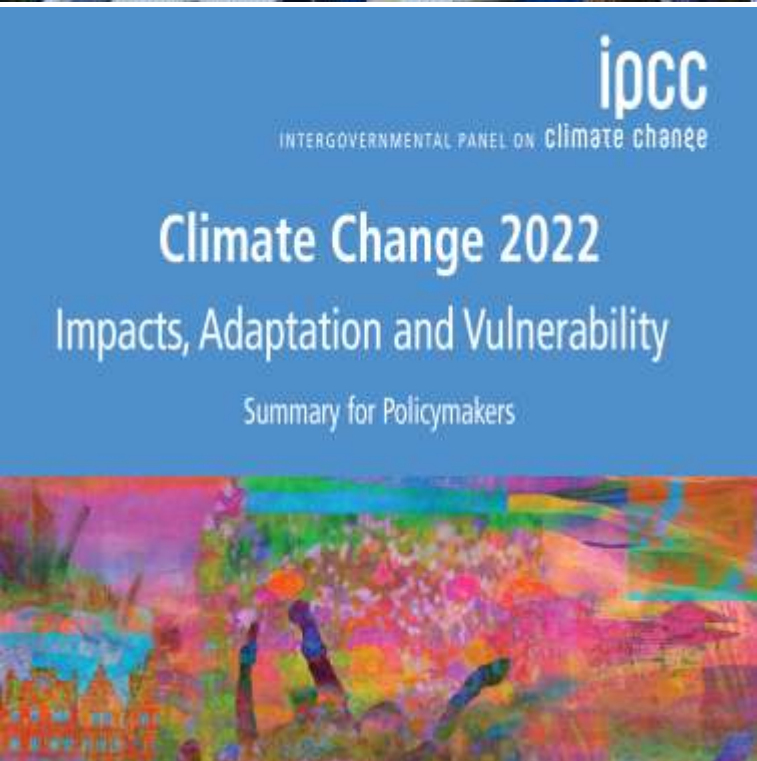
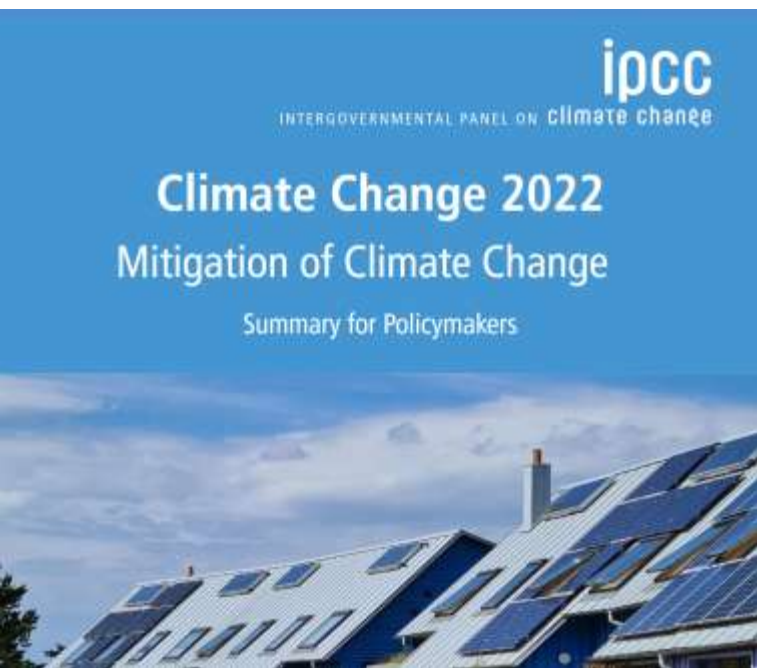












# Science Demands Climate Action

April 2022

*“A Litany of Broken Promises”*



March 2022

*“An Atlas of Human Suffering”*







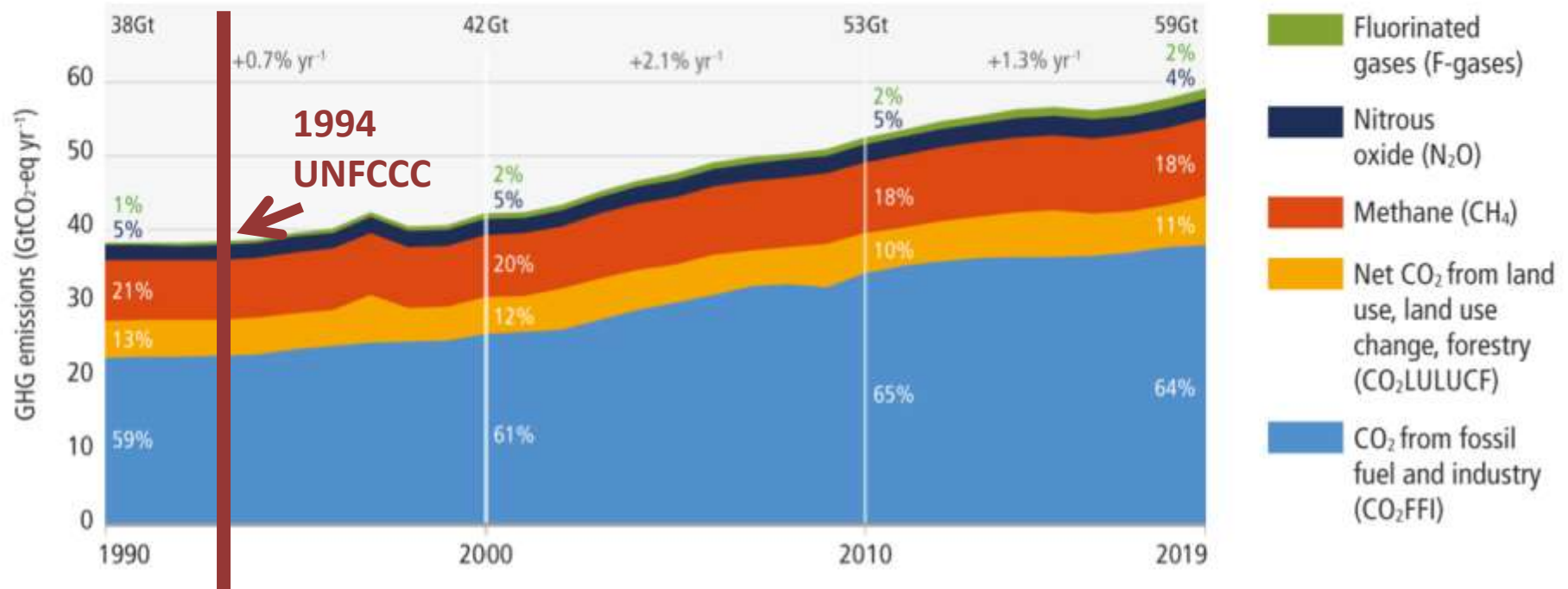


Goal: to stabilise greenhouse gas emissions to prevent dangerous climate change, to allow ecosystems to adapt, to protect food production, and to enable sustainable economic development (Article 2)

Sixth Assessment Report  
WORKING GROUP III – MITIGATION OF CLIMATE CHANGE

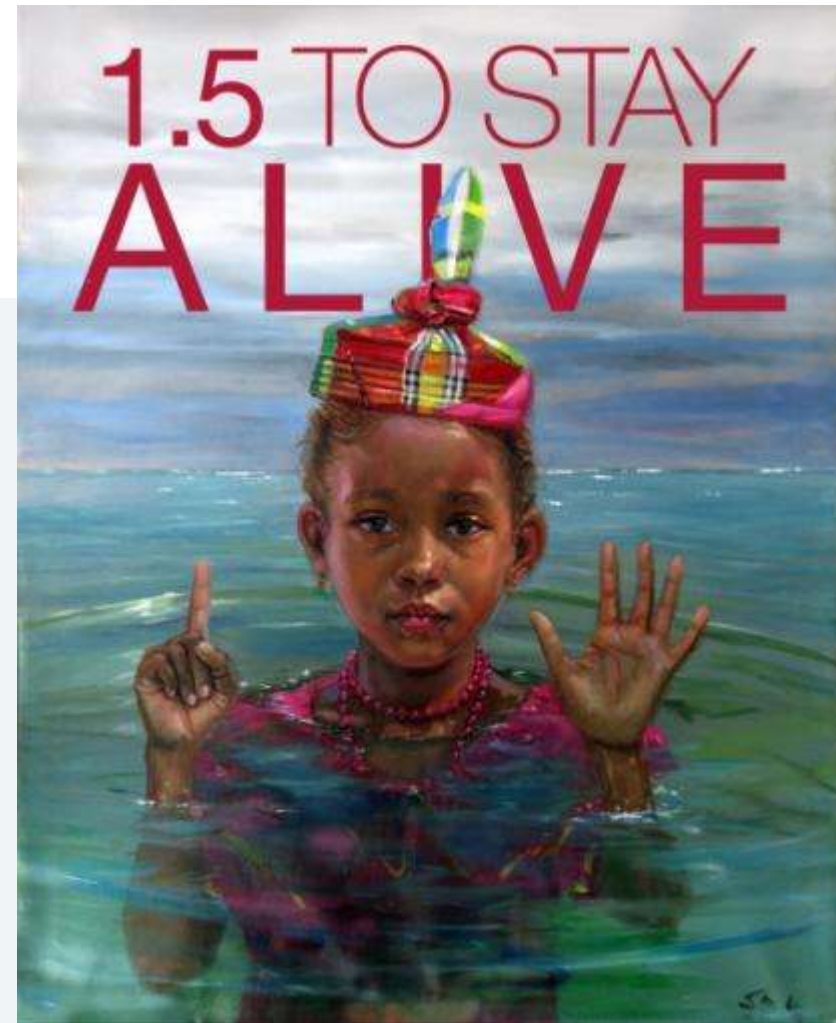
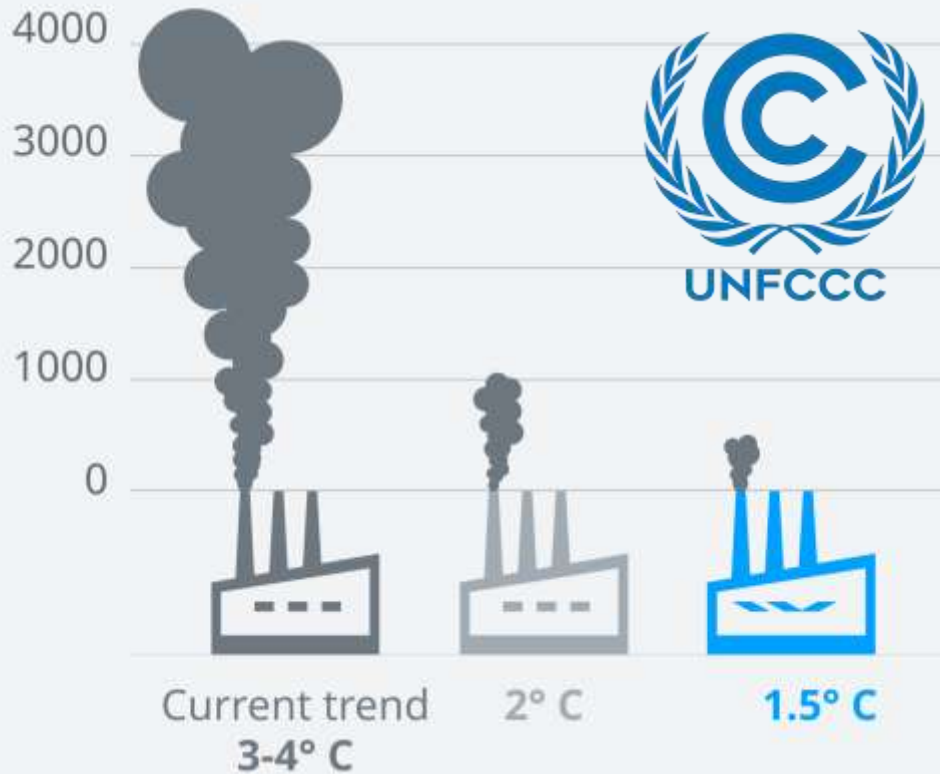


We are not on track to limit warming to 1.5 °C.





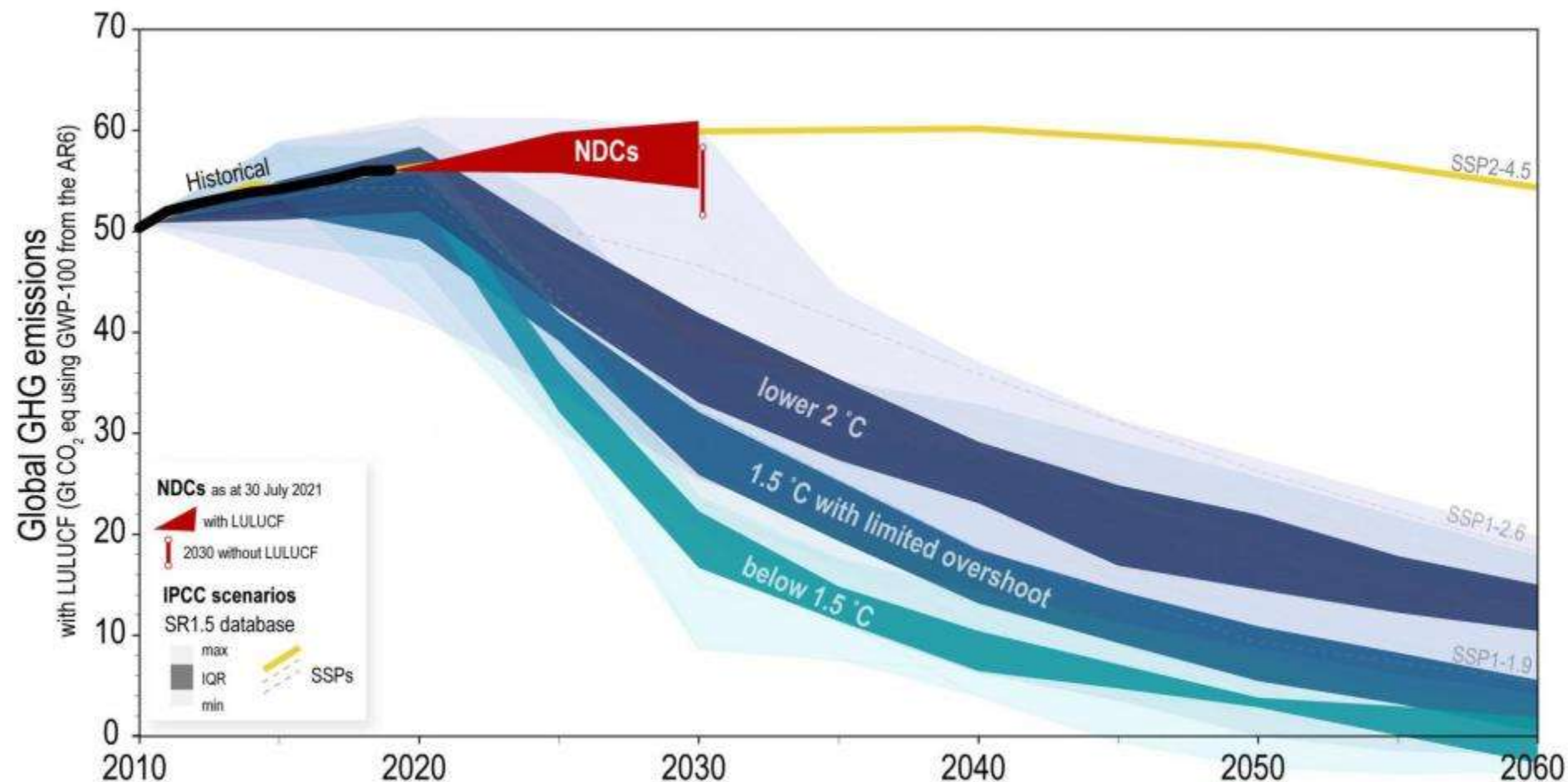
# PARIS AGREEMENT





# Inadequate

## Nationally Determined Contributions

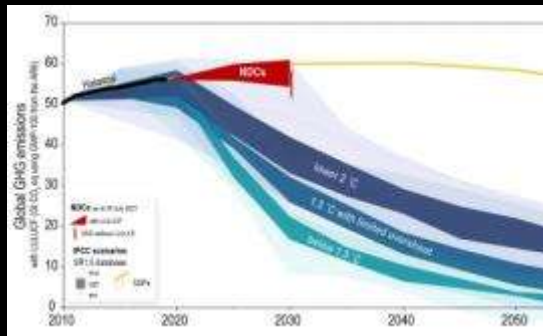




# Failure in MITIGATION



## AVERT



# Why?

Inadequate support  
**ADAPTATION**



## MINIMIZE

*Soft and Hard  
Limits  
to Adaptation*

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## LOSS & DAMAGE

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## ADDRESS



# 100 billion USD per year finance?

OECD July 2022 Report

## 16.7 billion USD short, again!

ate Trends  
ate Finance  
ed and Mobilised  
eloped Countries  
-2020



This report adds aggregate figures for 2020 to the previously published **2013-19** providing an assessment against the initial target year of the USD 100 billion goal. It includes an overview of climate finance provided and mobilised by climate theme, financial instrument and regions for 2016-2020.

Key findings:

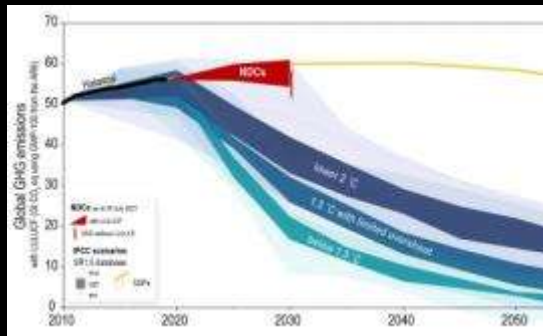
- **USD 83.3 billion** was provided and mobilised for climate in 2020, USD 16.7 billion short of the intended USD 100 billion level in the initial target year of the goal;
- **Mitigation finance** remained the main focus, although adaptation finance grew;
- **Loans** remained the main instrument used to provide public climate finance;
- **Climate finance** mainly targeted Asia and middle-income countries.



# Failure in MITIGATION



## AVERT



# Why?

Inadequate support  
**ADAPTATION**



## MINIMIZE

*Soft and Hard  
Limits  
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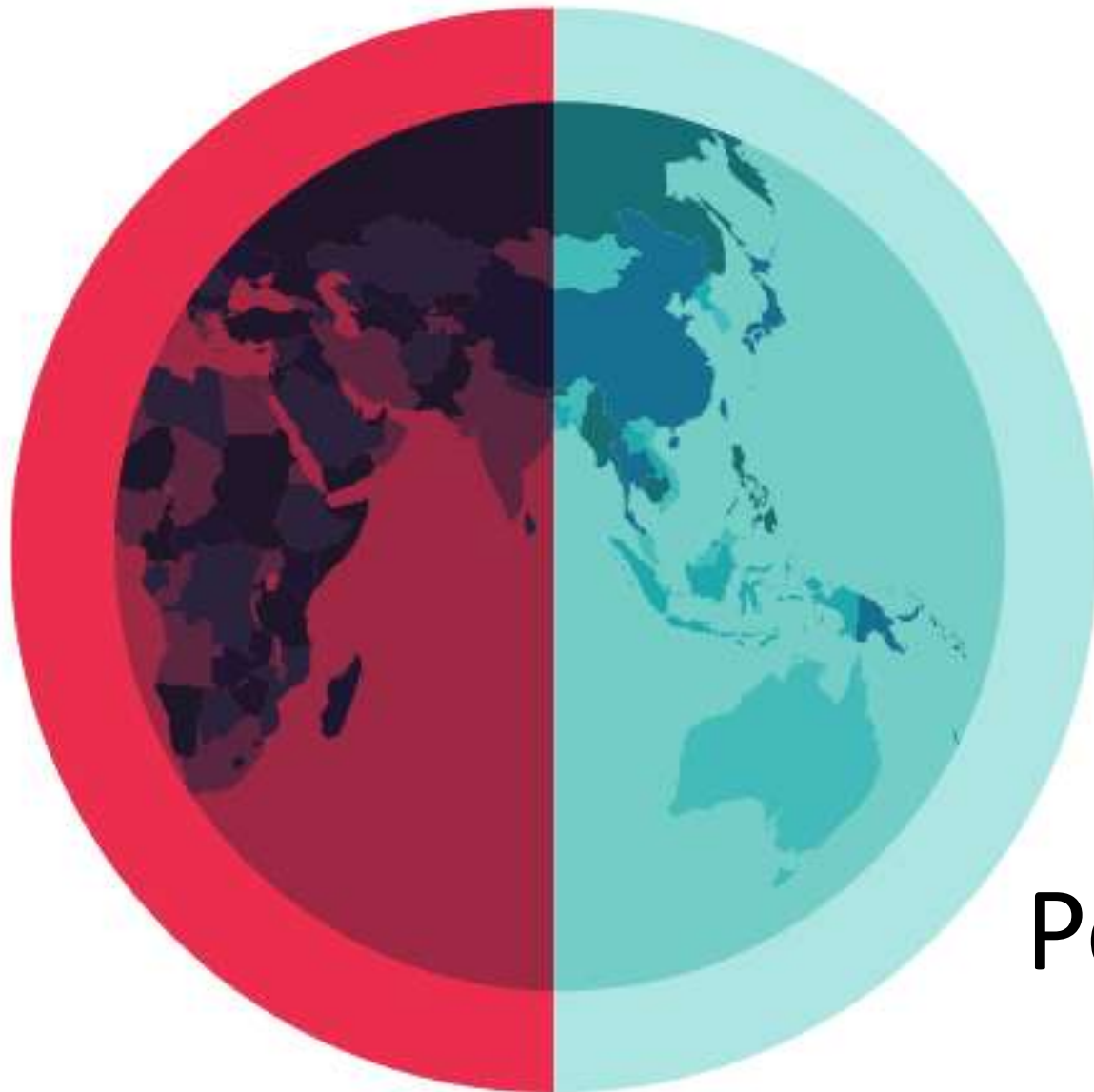
## LOSS & DAMAGE

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## ADDRESS

# ONE WORLD, TWO FUTURES



Profit

People



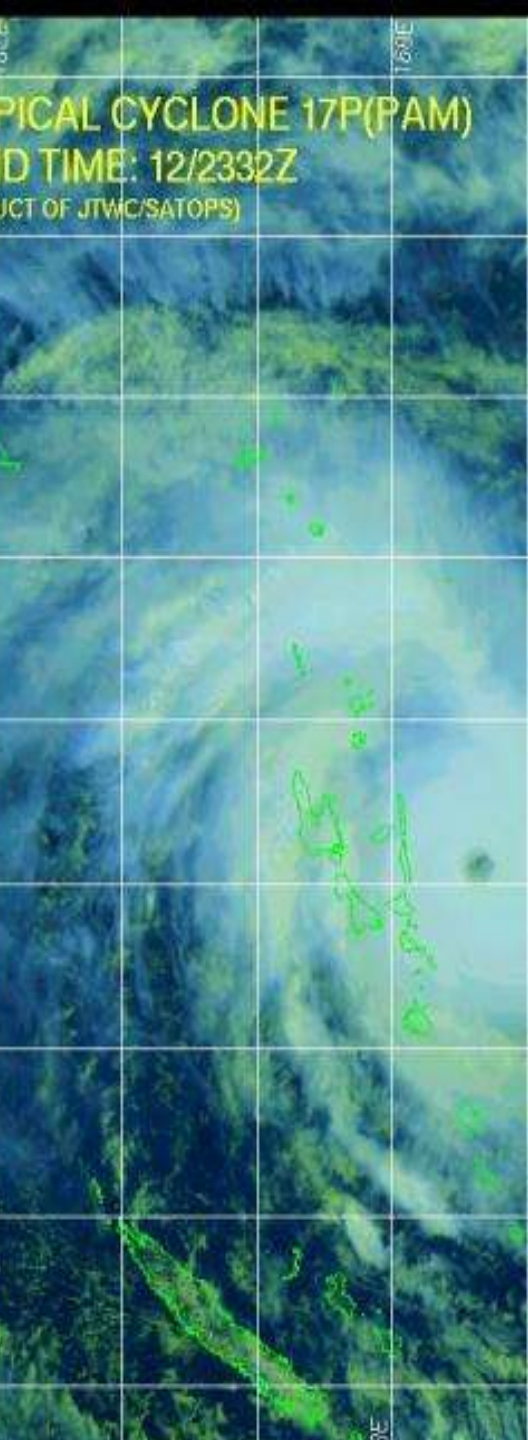


*Vanuatu*









Front Line  
of Climate Change





# WorldRiskReport 2021

Focus: Social Protection

Rank	Country	Risk
1.	Vanuatu	47.73
2.	Solomon Islands	31.16
3.	Tonga	30.51
4.	Dominica	27.42
5.	Antigua and Barbuda	27.28
6.	Brunei Darussalam	22.77
7.	Guyana	21.83
8.	Philippines	21.39
9.	Papua New Guinea	20.90
10.	Guatemala	20.23
11.	Cape Verde	17.72
12.	Costa Rica	17.06
13.	Bangladesh	16.23
14.	Fiji	16.06

**“Climate Change  
is the **single greatest  
threat**  
to Vanuatu’s  
development”**





## Category Five

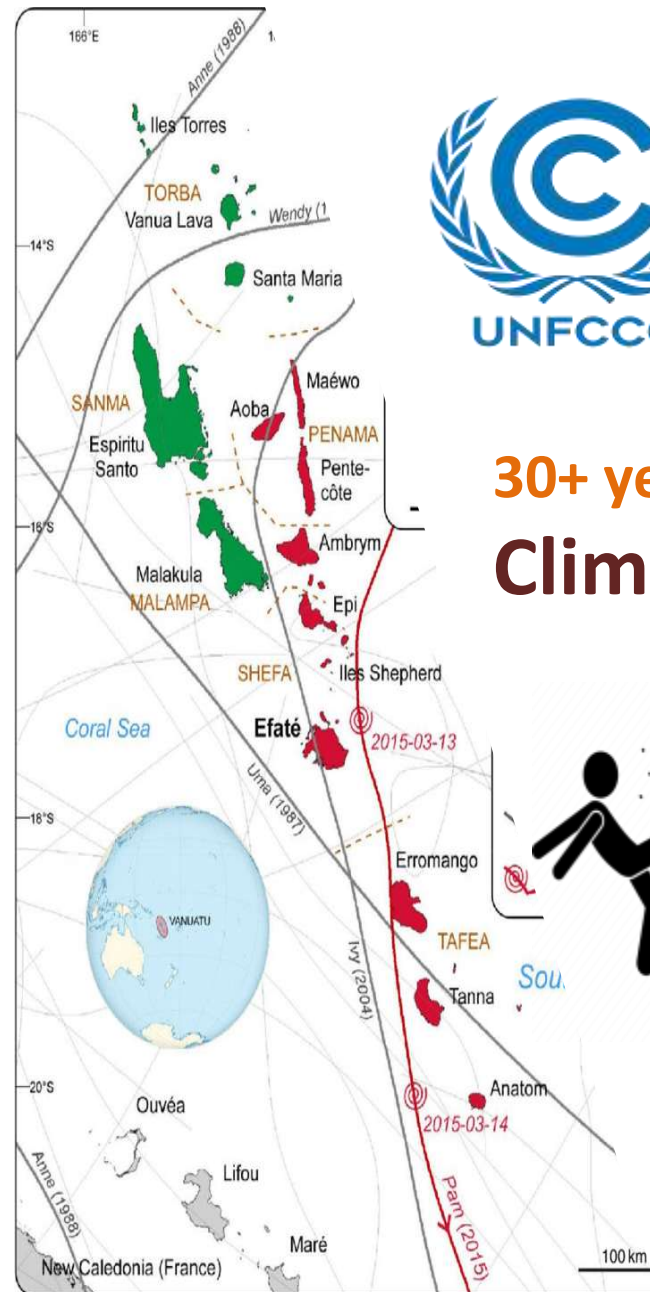
### Tropical Cyclone Pam:

- 2015
- Loss 64% of GDP
- Affected 60% of the population
- Destroyed 96% of food crops
- USD \$449 million in damages

## Category Five

### Tropical Cyclone Harold:

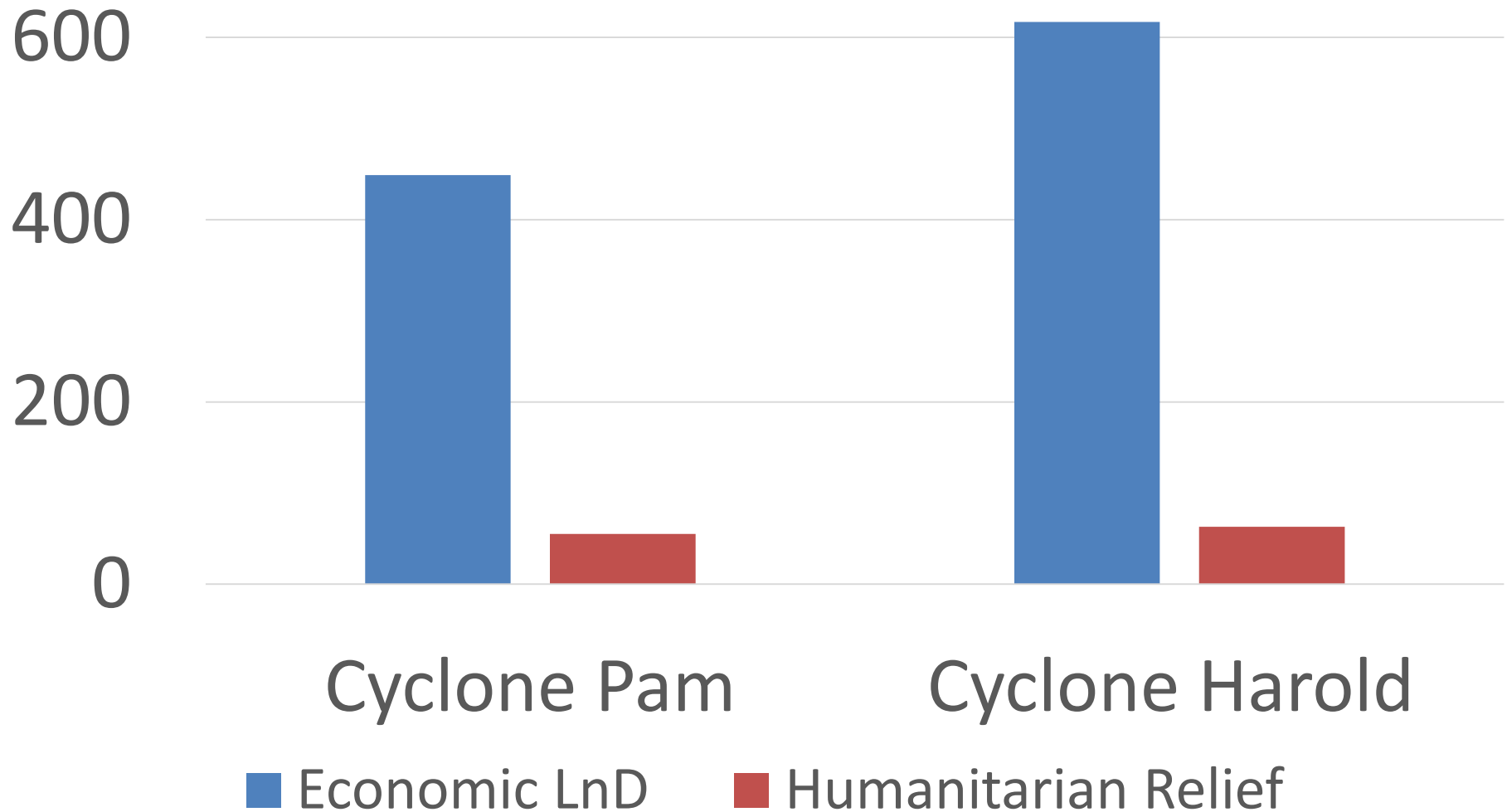
- 2020
- Exacerbated by COVID
- Lost 61% of GDP
- USD \$617 million in damages



30+ years of  
**Climate Failure**

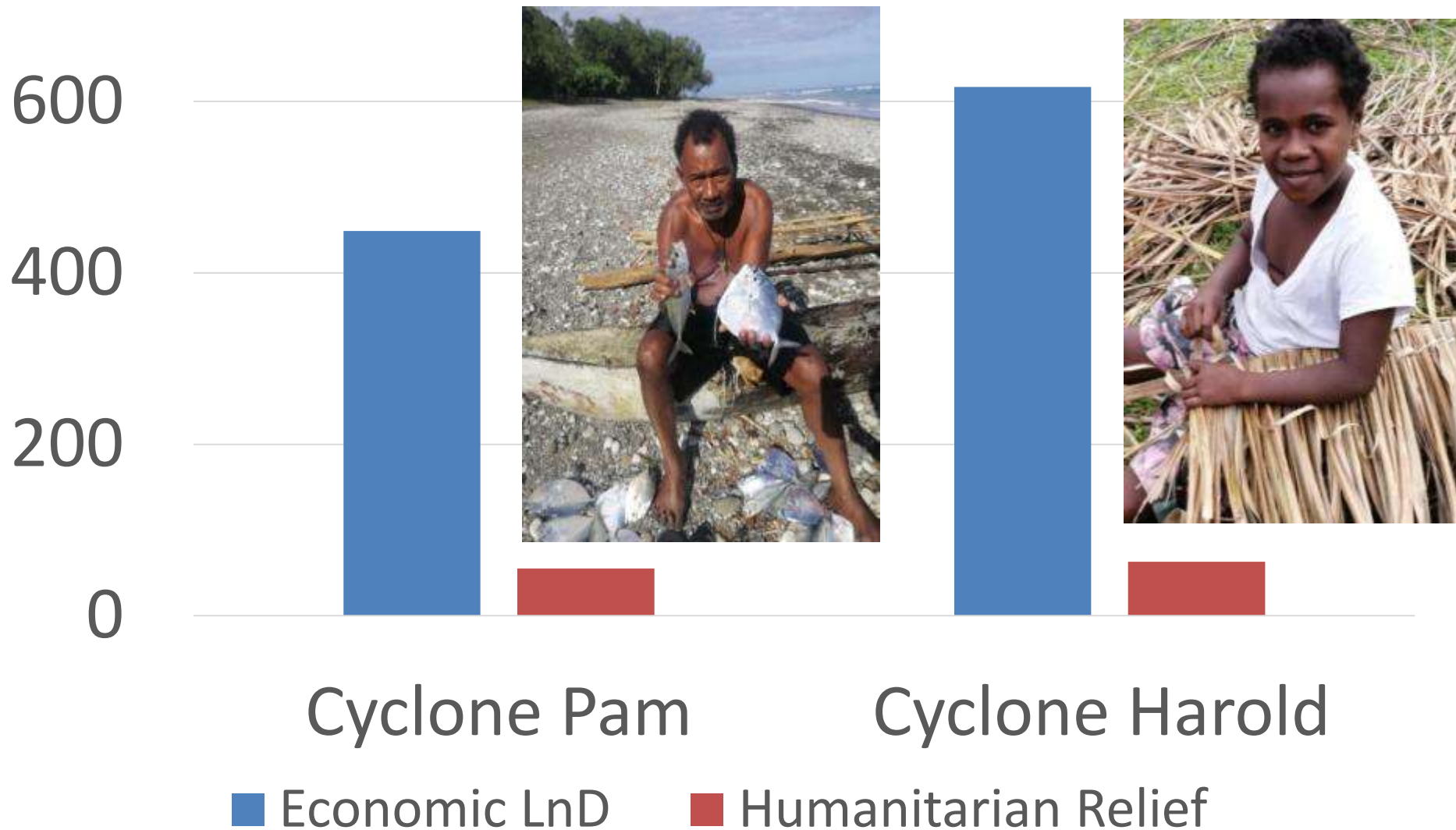


# Failure of Humanitarian Systems to Address LnD





# Failure of Humanitarian Systems to Address LnD



# Non-Economic Loss and Damage?

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- Biodiversity
- Ecosystem Goods and Services
- Health
- Culture and Tradition
- Sovereign Identity
- Mental Health





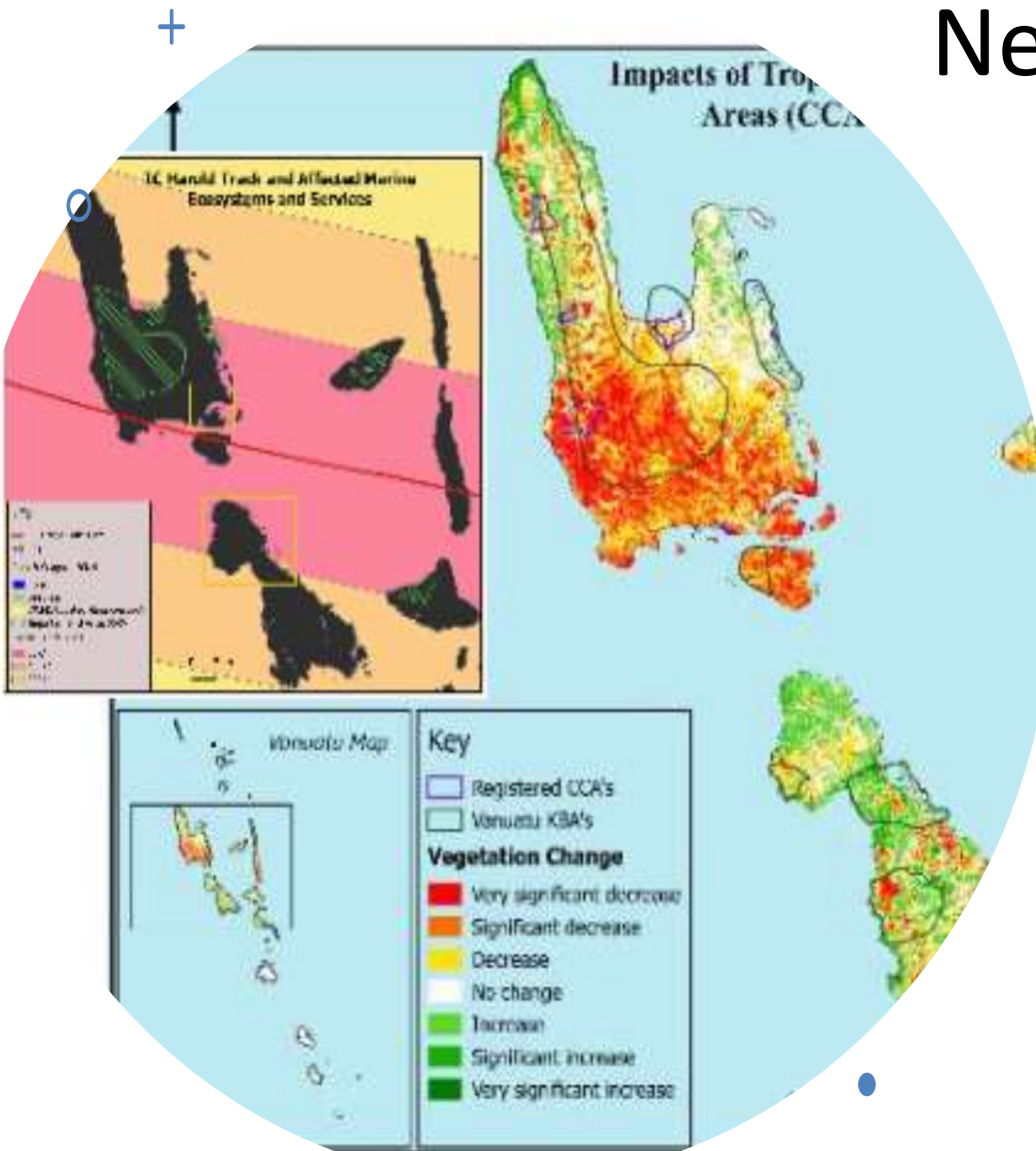
# New LnD Assmnt Tools

## New Methods

## New Capacities

Environmental  
Goods and Services  
Loss & Damage  
Needs Assessment

- 13 indigenous villages
- 39 million USD



# Quantification of “Non-Economic” Loss & Damage

	Forest Biodiversity Services	Trees Non Economic	Crops Non Economic	Water Security	Structure Non Economic	TOTAL
Kerevinopu	USD 433,117	USD 388,923	USD 67,307	USD 70,591	USD 17,826	USD 977,765
TovoTovo	USD 433,117	USD 431,610	USD 23,755	USD 78,339	USD 21,304	USD 988,126
Lalaola	USD 529,565	USD 896,178	USD 49,007	USD 94,696	USD 32,609	USD 1,602,055
Kerewai 1	USD 870,587	USD 2,840,140	USD 154,434	USD 224,687	USD 118,696	USD 4,208,543
Kerewai 2	USD 1,261,826	USD 6,855,511	USD 419,851	USD 542,348	USD 142,609	USD 9,222,145
Pareo/Salalope	USD 2,472,978	USD 3,046,509	USD 98,366	USD 202,304	USD 68,696	USD 5,888,854
Sauriki	USD 2,580,261	USD 3,310,943	USD 153,184	USD 323,687	USD 91,304	USD 6,459,379
Linduri	USD 1,470,730	USD 651,766	USD 35,641	USD 68,870	USD 11,304	USD 2,238,312
Wusi	USD 1,419,600	USD 1,181,326	USD 64,600	USD 124,826	USD 26,087	USD 2,816,439
Kerepua	USD 1,295,730	USD 640,300	USD 35,241	USD 116,217	USD 15,217	USD 2,102,706
Elia	USD 289,572	USD 507,249	USD 28,370	USD 179,922	USD 21,304	USD 1,026,417
Tasmate	USD 361,748	USD 368,908	USD 20,633	USD 130,852	USD 9,565	USD 891,706
Vasalea	USD 292,813	USD 208,724	USD 11,674	USD 74,035	USD 7,391	USD 594,637
	USD 13,711,646	USD 21,328,090	USD 1,162,063	USD 2,231,374	USD 583,913	USD 39,017,085



# Climate Emergency Declaration May 2022



RECEIVED  
07/15/22  
10:51 am

PARLIAMENT OF THE REPUBLIC OF VANUATU

TWELFTH LEGISLATURE

First Ordinary Session of Parliament for 2022

Motion No. **3** of 2022

MOVER:: Hon. Bob Loughman WIEBUR (MP) Prime Minister

SECONDER: Hon. Alatoi Ishmael Kalsakau MAAU'KORO (MP) Deputy Prime Minister

**TITLE OF THE MOTION:** Declaration of a Climate Emergency in Vanuatu

**Purpose of the paper:** The purpose of this motion is for Parliament to officially Declare a Climate Emergency in Vanuatu, as well as make a call to action to protect human rights from the impacts of climate change, as well as give a political mandate for an enhanced Nationally Determined Contribution with Mitigation, Adaptation and Loss and Damage Targets in the lead up to the COP27 UN Climate Conference.

**PURSUANT TO:**

1. The Constitution Article 21 sub article (5) which provides "Parliament shall make its own rules of procedure"; and Article 21 sub article (3) which provides "Unless otherwise provided in the Constitution, Parliament shall make its decisions by public vote by a simple majority of members voting;
2. Standing Order 43 (1) of the Standing Orders of Parliament which provide for the rules governing Written Motions and Standing Order 42 of Parliament as applies to contents of any written motion;

**AND WHEREAS:**

3. The Constitution Article 21 sub article (5) provides "Parliament shall make its own rules of procedure" and that which is now materialized as Standing Orders of Parliament in the current form dated June 20, 2020.

**NOW THEREFORE IT IS CONTENDED AS FOLLOWS:**



**PARLIAMENT  
OF  
THE REPUBLIC OF VANUATU**

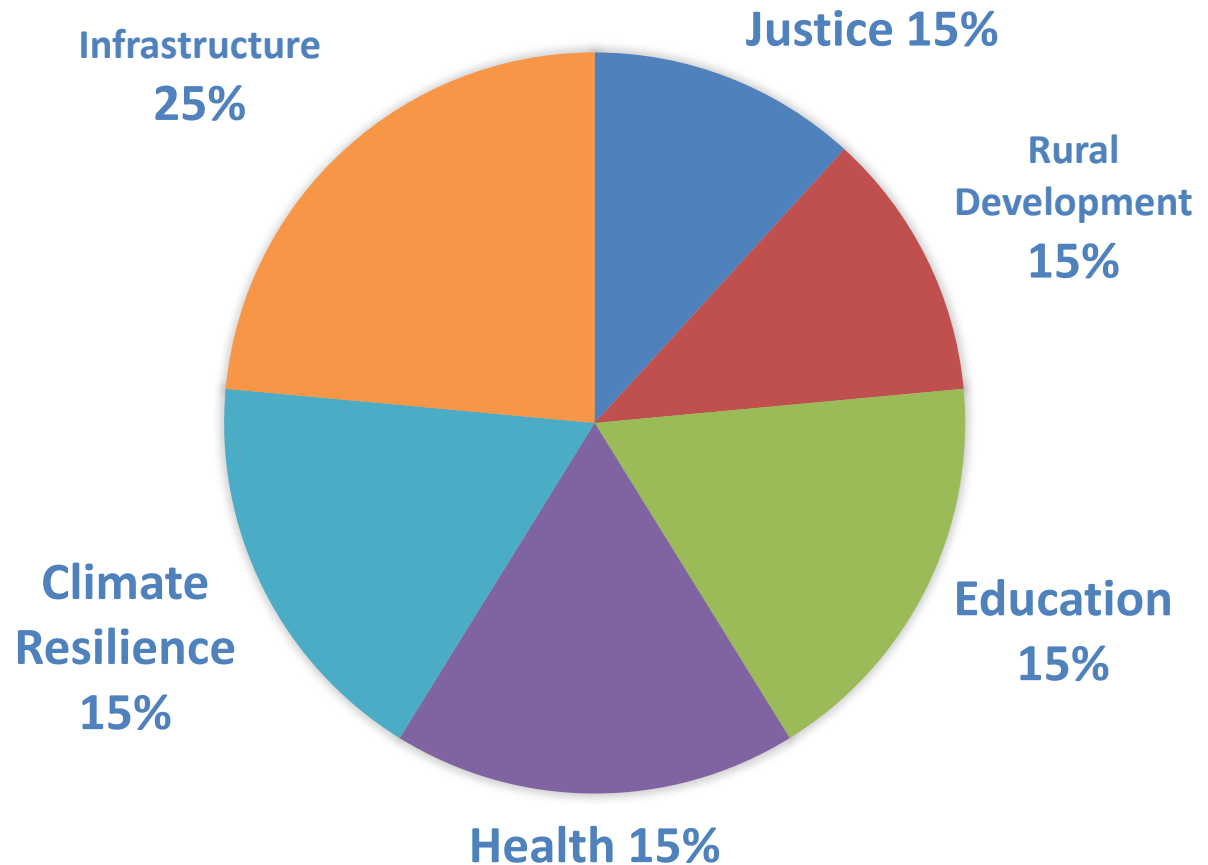


# Vanuatu Government Budget Policy Statement 2022

## Allocation of Fiscal Space to Priority Outcomes

DSPPAC and Treasury have been closely monitoring the trend of actual fiscal space allocation over the past years. After analysing these trends against the Government's policy priorities, it is proposed that the overall fiscal space allocation for 2022 be as follows:

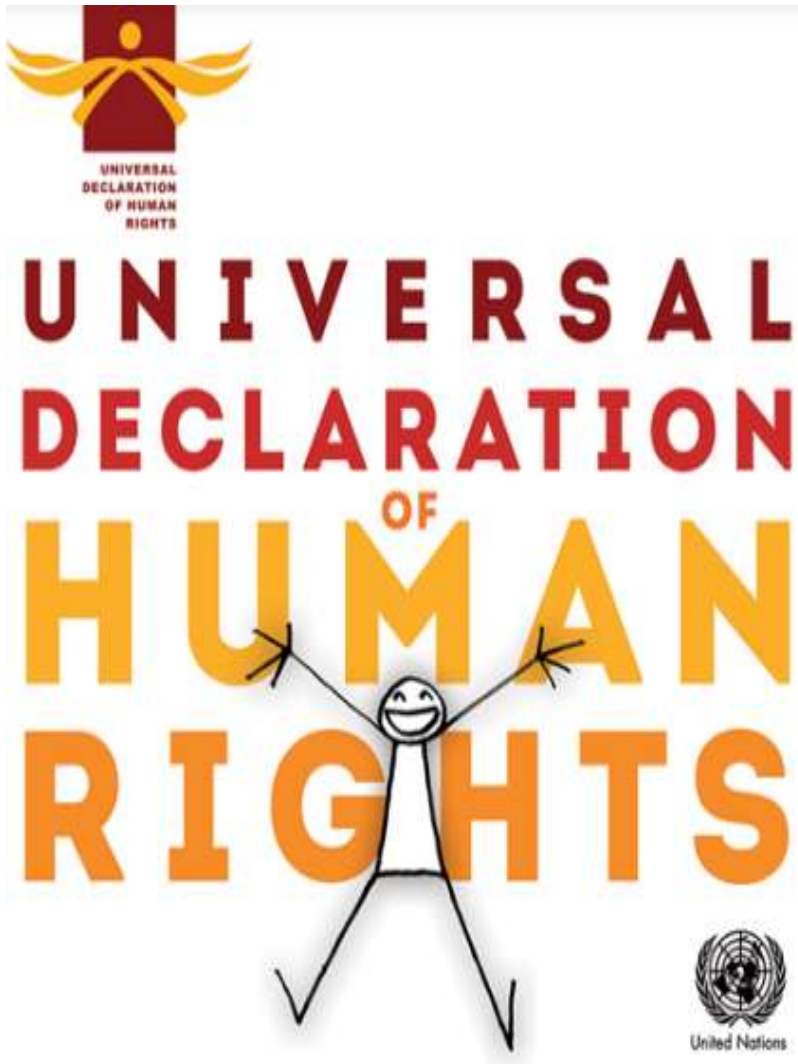
## ALLOCATION OF FISCAL SPACE





# Vanuatu's Climate Crisis *is a* **Human Rights Crisis**

Universal  
Declaration of  
Human Rights



Now, therefore,

*The General Assembly*

proclaims

*this Universal Declaration of Human Rights*

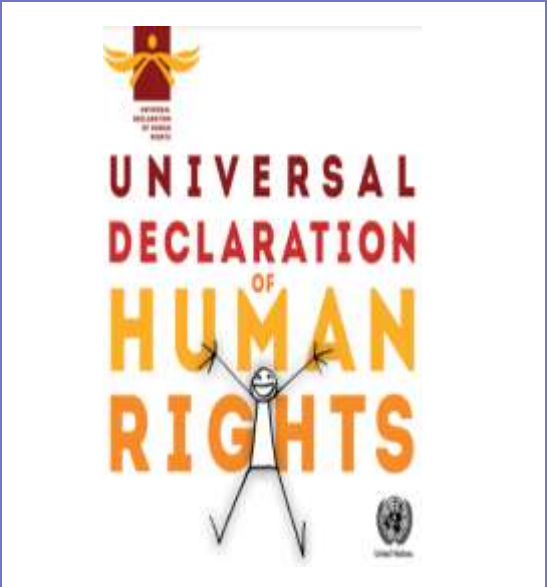
as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

1948

principle of prevention of significant harm to the environment



duty of due diligence



duty to protect and preserve the marine environment

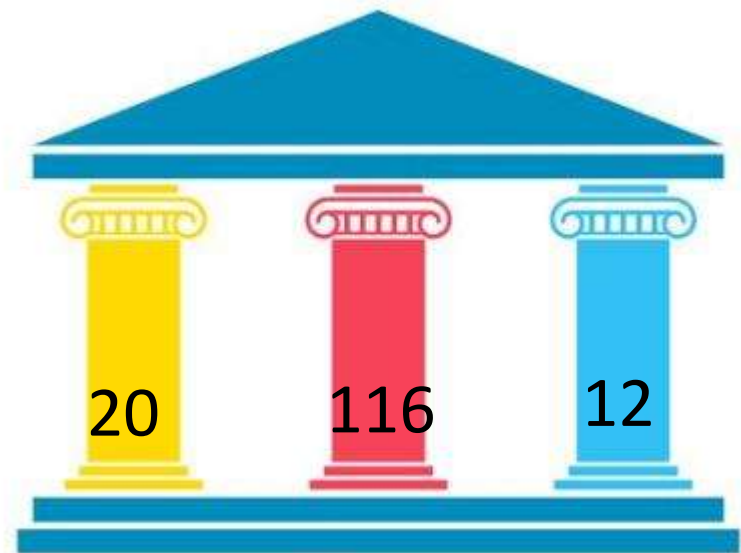




## Vanuatu's Revised and Enhanced 1<sup>ST</sup> Nationally Determined Contribution 2021–2030



# 148 People-Centered Climate Targets



MITIGATION

ADAPTATION

LOSS & DAMAGE

**NDC is fully costed!!**

To Achieve **Mitigation, Adaptation and Loss & Damage** commitments in our NDC Vanuatu needs by 2030

**1.2 billion USD**





What UN Tools are available  
**to motivate climate actions**  
of States to match this level of ambition



Vanuatu seeking legal clarity via Non-Contentious Advisory function of the UN's International Court of Justice

**Climate Change must be addressed by all**

## Principal Organs of the United Nations





# The International Court of Justice


The Court may entertain two types of cases:

- Legal disputes between States submitted to it by them (**contentious cases**)
- Requests for advisory opinions on legal questions referred to it by United Nations organs and specialized agencies (**advisory proceedings**)




UNITED NATIONS



- 
- An AO from the ICJ is **NOT LITIGATION!**
  - Not legally binding
  - No wins or losses
  - No awards of damages

**Advisory opinions** of the International Court of the Justice are **general statements by the main UN judicial body** regarding what international law requires on a certain issue, and they command **great legal and symbolic authority.**



A wide-angle photograph of the United Nations General Assembly hall. The room is semi-circular with a large, curved wooden wall at the front. In the center of this wall is a large circular emblem of the United Nations. Above the emblem is a large, curved ceiling with many small lights. The floor is covered with rows of wooden desks and chairs, where many people are seated. Two large screens on the sides of the stage show a man speaking. The text is overlaid on the left side of the image.

To request an advisory opinion from the World Court, the **UN General Assembly** must adopt a Resolution supported by a **simple** majority of UN member States.

Normally 97 UN members  
But in **practice 78 or 77 votes in favour** may suffice



**CARICOM  
COMMUNIQUE – Thirty-  
Third Inter-Sessional  
Meeting of CARICOM Heads  
of Government. March  
3, 2022.**

CARICOM Heads of Government **indicated their support** for Vanuatu in its pursuit of an Advisory Opinion from the International Court of Justice on the rights of present and future generations to be protected from Climate Change.





REFERENCE ACP/27/005/22 Final  
OSG/LDS [EOA/mjb] e o a

Brussels, 9 June 2022

# 114<sup>th</sup> session of the OACPS Council of Ministers

## HEREBY DECIDES TO:

1. **Endorse** the initiative of Vanuatu to seek the adoption of a UN General Assembly Resolution requesting an Advisory Opinion from the International Court of Justice on the obligations of States under international law to protect the rights of present and future generations against the adverse effects of climate change; and
2. **Call** on all Member States of the OACPS to give strong consideration to co-sponsor the proposed Resolution during the 77<sup>th</sup> Session of the UN General Assembly. e o a

Done at Brussels, 9 June 2022





PACIFIC ISLANDS FORUM



## UN GENERAL ASSEMBLY RESOLUTION FOR AN ADVISORY OPINION ON CLIMATE CHANGE FROM THE INTERNATIONAL COURT OF JUSTICE

44. Leaders **commended** Vanuatu on its initiative on a pathway to secure a request from the UN General Assembly (UNGA) for an advisory opinion from the International Court of Justice (ICJ) to clarify legal consequences of climate change, noting the urgency of the climate change threat and the need for accelerated global climate action and implementation of the Paris Agreement.

45. Leaders **welcomed** progress since the initiative was reported to, and noted by, Forum Leaders at their 50th Meeting in Tuvalu in 2019, including progress on ongoing international and regional consultations on the initiative and related legal question(s) to be developed through the UNGA process, and **noted** that the initiative is consistent with, and complementary to, regional efforts and ambitious actions on climate change to safeguard our people against the adverse effects of climate change, and noting that an ICJ advisory opinion is non-binding but may change the course of current negotiations and boost commitments.

46. Leaders **called on** the UN General Assembly for a resolution requesting the International Court of Justice to provide an advisory opinion on the obligations of states under international law to protect the rights of present and future generations against the adverse impacts of climate change, and **looked forward** to close collaboration in the development of the specific question to ensure maximum impact in terms of limiting emissions to 1.5 degrees, including obligations of all major emitters past, present and future.



14 July 2022  
51<sup>st</sup> PIFLM





PACIFIC ISLANDS  
STUDENTS FIGHTING  
CLIMATE CHANGE

[The Alliance](#) [Our Campaigns](#) [Videos](#) [News](#) [About us](#)

[Take Action](#)

# Welcome to The Alliance to seek an ICJAO

Youth and Civil Society Organizations from the Pacific have been  
championing the campaign to take the world's biggest problem to the world's  
highest court!

[Sign petition](#)

International Court of  
Justice Advisory Opinion  
Campaign

## Toolkit



1500 NGO partners globally

**VCAN**  
VANUATU CLIMATE ACTION NETWORK



**GREENPEACE**



PACIFIC ISLANDS  
STUDENTS FIGHTING  
CLIMATE CHANGE

**CAN**  
CLIMATE ACTION NETWORK  
Pacific

**OXFAM**

# Vanuatu priorities for



**Mitigation Ambition:** 1.5C with no overshoot

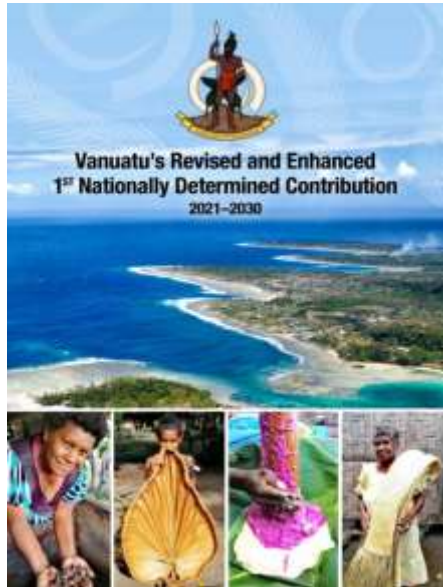
**Means of Implementation:** Finance, inc. Loss & Damage

**People First:** Climate Justice and Human Rights





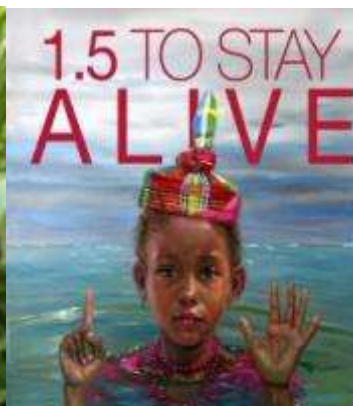
An ICJ Advisory Opinion may **motivate states** to take more ambitious action in their NDCs and to **increase** the **means of implementation** for the **Paris Agreement**



[www.VanuatuICJ.com](http://www.VanuatuICJ.com)



PARIS  
AGREEMENT





# ICJ Resolution Calendar



- UNFCCC COP27 – 7-19 November (Egypt)
- Public Release of ICJ Resolution – 14 November (NY)
- UN Members consultations on draft (21 Nov-9 Dec 2022)
- Voting on Resolution UNGA December 22 – February 2023



# www.VanuatuICJ.com



Vanuatu ICJ Initiative

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## The Republic of Vanuatu Pursuing an Advisory Opinion on Climate Change from the International Court of Justice

The Republic of Vanuatu is building a growing coalition of States seeking an Advisory Opinion on Climate Change from the International Court of Justice (ICJ).



[What is an ICJ AO?](#)



[Why Vanuatu?](#)

