

Pacific (2022)

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The Pacific region continued to struggle with the combination of natural and biological hazards in 2022, including extreme weather events as a result of climate change. In some of the Pacific Small Island States (SIDS), COVID-19 arrived for the first time in 2022 after they had been able to keep the virus out of their countries with border restrictions. As a result, COVID-19 not only stretched fragile health systems and led to continued socio-economic disruptions but also complicated response and recovery functions more generally during the pandemic. In addition, climate change, overshadowed in the previous three years by the urgency of COVID-19, was catapulted back onto the regional and international agenda as extreme weather events rocked the region. Both the COVID-19 pandemic and climate change impacts clearly demonstrated the need for greater regional cooperation in addition to national preparedness. As explored below, 2022 became an important year for Pacific regional disaster law, as the Pacific Island Forum (PIF) found its unified voice again, and Pacific nations significantly boosted the rather weak regional cooperation framework in the area of climate change and disasters.

1 2022: a Year of Converging and Cascading Hazards

The year had an explosive start in the Pacific when the undersea Hunga Tonga-Hunga Ha'apai volcano erupted with a violence of historic proportions, along with the subsequent tsunami that seriously affected inhabited Tongan islands, as well as a Pacific-wide tsunami that reached coasts as far as South America, North America and Northeast Asia. About 84,000 people, more than 80% of Tonga's population, have been affected by the disaster, particularly by ashfall. Around 1,500 people were displaced in the aftermath of the regional tsunami, and around 300 homes were damaged or destroyed.¹ The cost of the damage was estimated to be around USD 90.4 million, cumulatively the

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1 International Bank for Reconstruction and Development/the World Bank, 'The January 15, 2022 Hunga Tonga-Hunga Ha'apai Eruption and Tsunami', Tonga, Global Rapid Post Disaster Damage Estimation (GRADE) Report, 2022, Executive Summary, para. 1.0 Introduction.

equivalent of Tonga's entire overseas development aid budget for the two years preceding the event.² While international aid arrived, so did COVID-19 two weeks later, prompting widespread restrictions, hindering and delaying the delivery of critical humanitarian emergency assistance and disrupting recovery efforts.³ Fiji also had to deal with the challenge of a multi-hazard response, as the country, still struggling with the damage caused by Cyclone Cody in January, also found itself battling a spike in COVID infections.⁴

Vanuatu experienced its first surge in COVID-19 cases at the beginning of 2022,⁵ while cases were also reported for the first time in the Solomon Islands, Kiribati, Samoa and Palau.⁶ The vaccination rate in these countries varied considerably. In the Solomon Islands only 10% of the population was vaccinated and in Kiribati only 33%. At the other end of the scale, Samoa was 62% vaccinated and Palau had almost its entire population fully vaccinated.⁷ While it was essential to keep infections at bay to not overwhelm fragile health systems, previous efforts by the PIF and its member states to tackle COVID-19 as a region paid off. As of July 2022, 317 tons of Personal Protection Equipment and critical medical cargo were delivered in 40 flights across the Pacific region through the Pacific Humanitarian Air Service (managed in conjunction with the WFP) not only in response to COVID-19 but also in response to natural hazards as described below.⁸ More deliveries followed throughout the year as Tuvalu recorded its first outbreak.⁹ These flights operated under the Pacific Humanitarian Pathway established in 2020 according to the Biketawa

2 Pacific Disaster Risk Reduction Ministers Meeting in Nadi, Fiji, September 2022.

3 IFRC, 'Operation Update, Tonga, Volcano and Tsunami' <<https://www.ifrc.org/emergency/tonga-volcano-and-tsunami>> last accessed (as any subsequent URL) on 5 September 2023; Nikkei Asia, news, 'Tonga's recovery effort hampered by COVID lockdown, 1 month on', 15 February 2022, at <<https://asia.nikkei.com/Economy/Natural-disasters/Tonga-s-recovery-effort-hampered-by-COVID-lockdown-1-month-on>>.

4 IFRC, 'Pacific: COVID-19 endangers fragile health systems' (press release, 31 January 2022).

5 World Food Programme, 'WFP's Pacific Humanitarian Air Service flies medical supplies to Vanuatu in support of the Government's COVID-19 response' (March 2022) <<https://www.wfp.org/news/wfps-pacific-humanitarian-air-service-flies-medical-supplies-vanuatu-support-governments-covid>>.

6 WHO, '15 tonnes of lifesaving COVID-19 supplies arrive in Samoa' (press release, 3 May 2022) <<https://www.who.int/westernpacific/about/how-we-work/pacific-support/news/detail/03-05-2022-15-tonnes-of-lifesaving-covid-19-supplies-arrive-in-samoa>>.

7 IFRC, 'Pacific: COVID-19 endangers fragile health systems' (press release, 31 January 2022).

8 UNICEF, '11 tons of critical relief supplies arrive in Kiribati to support on-going drought response' (press release, 9 July 2022).

9 WHO, 'Fiji, the UN and partners deploy medical personnel and supplies in solidarity with Tuvalu's COVID-19 response effort' (press release, 19 November 2022) <<https://www.who.int/westernpacific/about/how-we-work/pacific-support/news/detail/19-11-2022-fiji--the-un-and-partners-deploy-medical-personnel-and-supplies-in-solidarity-with-tuvalu-s-covid-19-response-effort>>.

Convention.¹⁰ The PHP experience highlighted the need for coordination mechanisms ready to respond and act during times of regional emergency. Further, Fiji deployed for the first time its Emergency Medical Assistance Team in the Pacific region backing up Tuvaluan health workers, in addition to assistance provided by WHO.¹¹ These are positive examples of an important collaboration between key partners and organisations on a regional level.¹²

Although the Pacific experienced an average cyclone season, individual events had significant impacts.¹³ In addition, 2022 was the third consecutive year of La Niña, the first time this has happened since 1950.¹⁴ Historical floodings were recorded in Australia,¹⁵ while severe droughts hit Kiribati and Tuvalu.¹⁶ In response to the droughts, emergency supplies were delivered under the Pacific Humanitarian Pathway.¹⁷ In a nutshell, 2022 was a continuing reminder of the growing risk of converging and cascading hazards in the region.¹⁸

10 PIF, 'Pacific Islands Forum Foreign Ministers Agree to Establish a Pacific Humanitarian Pathway on COVID-19' (press release, 9 April 2020).

11 WHO (n 9).

12 Further examples are: WHO, 'WHO, Government of Japan, and Governments of the Marshall Islands, Federated States of Micronesia and Palau partner to enhance COVID-19 preparedness and response' (Joint News Release, April 2022) <<https://www.who.int/westernpacific/about/how-we-work/pacific-support/news/detail/04-04-2022-who-government-of-japan-and-governments-of-the-marshall-islands-federated-states-of-micronesia-and-palau-partner-to-enhance-covid-19-preparedness-and-response>>; RNZ, news, 'Niue gets more NZ help to deal with Covid-19', December 2022.

13 See RNZ, Fiji begins massive clean up after Cyclone Cody (January 2022) <<https://www.rnz.co.nz/international/pacific-news/459586/fiji-begins-massive-clean-up-after-cyclone-cody>>; Watchers, 'Tropical Cyclone Dovi brings destructive winds to New Zealand after wreaking havoc across Vanuatu and New Caledonia' (February 2022) <<https://watchers.news/2022/02/13/tropical-cyclone-dovi-vanuatu-newcaledonia-newzealand-february-2022/>>.

14 SPREP, Pacific Communities Alerted to La Nina Return (September 2022) <<https://www.sprep.org/news/pacific-communities-alerted-to-la-nina-return>>.

15 One of the nation's worst recorded flood disasters, Q1 Global Catastrophe Recap (April 2022) 9 <<https://www.developmentaid.org/api/frontend/cms/file/2022/05/2022-1204-q1-2022-catastrophe-recap.pdf>>.

16 ESCAP75, 2022: A year when disasters compounded and cascaded, Cascaded (January 2023) <<https://www.unescap.org/blog/2022-year-when-disasters-compounded-and-cascaded#>>.

17 UNICEF, '11 tons of critical relief supplies arrive in Kiribati to support on-going drought response' (press release, 08 July 2022).

18 ESCAP (n 16).

2 Regional Developments

2.1 *The Reunification of the PIF and the 2050 Strategy for the Blue Continent*

A potential setback for the development of Pacific disaster law was averted, when Pacific Island leaders struck a deal in mid-2022 to prevent the Pacific Island Forum (PIF), a key driver for regional cooperation, from drifting apart. Back in early 2021, five Micronesian countries announced their decision to pull out of the PIF over a leadership dispute.¹⁹ Four of the PIF's Micronesian members, Nauru, Tuvalu, Marshall Islands and Federated States of Micronesia however decided to stay with the PIF following the negotiation of the Suva Agreement in June 2022 at a high-level political dialogue. This agreement addresses the appointment of the Forum's leadership and includes the relocation of some offices to the northern Pacific.²⁰ Only Kiribati refused to sign the agreement and withdrew from the forum just before the 51st PIF meeting in July 2022.²¹ It seems that shared threats such as climate change and sharpening geostrategic competition²² have brought most of the Pacific islands together again, as demonstrated in further joint actions by the Pacific leaders throughout the rest of the year.²³

At their 51st meeting in July, Pacific Island leaders used the momentum to further implement their 2017 commitment to the Blue Pacific identity with the launch of a new long-term strategy to address present and future challenges faced by Pacific peoples; the '2050 Strategy for the Blue Pacific Continent'.²⁴ The Strategy outlines 10 commitments for action across seven interconnected thematic areas which were identified as crucial for the sustainable long-term

19 Cleo Pascal, 'How the Pacific Islands Forum Fell Apart' (The Diplomat, February 2021) <<https://thediplomat.com/2021/02/how-the-pacific-islands-forum-fell-apart/>>.

20 Stephen Dziedzic, Lice Movono and Marian Faa, 'Pacific leaders strike a deal to keep Micronesian nations from splitting with Pacific Islands Forum' (ABC News, June 2022) <<https://www.abc.net.au/news/2022-06-07/pacific-leaders-strike-deal-pacific-islands-forum/101133026>>.

21 RNZ, 'Kiribati withdraws from Pacific Island Forum', 10 July 2022.

22 Kiribati finally decided to rejoin the PIF in early 2023. This will be discussed in a further update. See ABC news, 'Pacific nations walk away from trade and security deal with China as Australia aims to 'build stronger family'' (May 2022) <<https://watchers.news/2022/02/13/tropical-cyclone-dovi-vanuatu-newcaledonia-newzealand-february-2022/>>.

23 RNZ, 'Fracture is history' – Pacific leaders commit to Forum reforms (February 2023) <<https://www.rnz.co.nz/news/pacific/484833/fracture-is-history-pacific-leaders-commit-to-forum-reforms>>.

24 The Strategy was launched globally at the UN General Assembly in New York in September 2022.

development of the region, including the area ‘climate change and disasters’. It further sets out strategic pathways for a regional response. The Strategy has been developed through region-wide consultations with Pacific governments, civil society, private sector groups, academia and technical organisations, led by the governments of Fiji and Vanuatu. After the political rift, the Pacific-led commitment to deepen regionalism and to address challenges jointly and urgently is of significance. Building on the ‘Framework for Resilient Development in the Pacific 2017–2030’,²⁵ the new 2050 Strategy aims at addressing pressing key issues in the area of climate change and disaster that remain despite previous efforts.

Meaningful implementation of the strategy will obviously be crucial. Currently, the PIF Secretariat is working with member countries and the Council of Regional Organisations in the Pacific (CROP) to develop the 2050 Strategy Implementation Plan as well as a Monitoring and Reporting Framework. PIF leaders also have requested a member-led comprehensive review of the regional architecture to ensure that appropriate “fit for purpose” governance and resourcing arrangements are in place to deliver the 2050 Strategy.²⁶

A first report to provide analytics, solutions and recommendations for the operationalization of the 2050 Strategy pathways outlined for climate change and disasters was presented with the subregional edition of the Asia Pacific Disaster Report 2022, Pathways to Adaptation and Resilience in Pacific SIDS.²⁷ The report highlights how climate change is reshaping the disaster risk scape of the Pacific SIDS by cascading and converging hazards under a new disaster-climate nexus,²⁸ underlining the urgency to act under the 2050 Strategy.

25 Framework for Resilient Development in the Pacific, An Integrated Approach to Address Climate Change and Disaster Risk Management (FRDP) 2017–2030, FRDP (2016 Pacific Community (SPC), Secretariat of the Pacific Regional Environment Programme (SPREP), Pacific Islands Forum Secretariat (PIFS), United Nations Development Programme (UNDP), United Nations Office for Disaster Risk Reduction (UNISDR), & University of the South Pacific (USP).

26 Pacific Island Forum, ‘Communique of the 51st Pacific Island Forum Leader Meeting’, 51st Session, Suva, Fiji July 2022, 28.

27 ESCAP, ‘Subregional Office for the Pacific, Pacific Perspectives 2022: Accelerate Climate Action’ <<https://reliefweb.int/report/cook-islands/pacific-perspectives-2022-accelerating-climate-action>>.

28 ESCAP, ‘Resilience in a riskier world: managing systemic risks from biological and other natural hazards’ (September 2022) <<https://www.unescap.org/kp/2021/asia-pacific-disaster-report-2021>>.

2.2 *The Nadi Declaration by Pacific DRR Ministers*

A new high-level forum specifically for disaster risk management was initiated in September 2022, when the Pacific Community (SPC) and the PIF Secretariat organised an inaugural meeting of Pacific Ministers responsible for disaster risk reduction (DRR). This was the first opportunity in the region for a Ministerial level meeting on disaster risk and resilience. Given the emerging complexity and severity of hazard events, this high-level dialogue and political leadership are to be welcomed. In this meeting, the DRR ministers agreed to the first disaster risk reduction declaration (Nadi Declaration), demonstrating unity in their commitment to the implementation of the FRDP, the Boe Declaration and the 2050 Blue Pacific Strategy, and to working in an inclusive partnership to address the complex disaster and climate risks. The Declaration further includes the commitment to establish a regional humanitarian assistance and disaster response (HADR) mechanism to enable transboundary response between countries alongside international partners, as called for in the Boe Declaration Action Plan. The Nadi Declaration was presented by Pacific leaders during the Asia-Pacific Ministerial Conference on Disaster Risk Reduction in Brisbane (APMCDRR) in September 2022.²⁹

Elements of the HADR mechanism will include a Pacific-wide incident management system, competency-based training, peer-to-peer learning and collaboration plus opportunities for resourcing DRR initiatives. The Governance Arrangement will be discussed further in 2023.³⁰ Ministers also committed to strengthening disaster preparedness measures through regional prepositioning and stockpiling of approved goods. For that purpose, the Fijian Military's Blackrock Camp was identified as a regional humanitarian relief depot.³¹ Other parts of the declaration included a commitment to support the wider implementation of multi-hazard early warning systems for all Pacific Island countries and a call for the Council of Regional Organisations in the Pacific (CROP) to bring together agencies and regional actors working on resilience with the aims of delivering greater coherence in the field.³²

29 UNDRR, Asia-Pacific Ministerial Conference on Disaster Risk Deduction, Brisbane, September 2022, Conference Report, Introduction, and Annexes Co-Chairs Statement, para. 1.

30 Declaration by the Pacific Ministers for Disaster Risk Reduction, Fiji, September 2022, para. 5.

31 RNZ, news, 'Pacific ministers endorse Fiji camp as disaster relief depot' (September 2022) <<https://www.rnz.co.nz/international/pacific-news/475021/pacific-ministers-endorse-fiji-camp-as-disaster-relief-depot>>.

32 Declaration by the Pacific Ministers for Disaster Risk Reduction, Fiji, September 2022, para. 12.

3 Other Regional Developments

The Forum Economic Ministers (FEM) endorsed the Secretariats' proposal to develop a Regional Climate Finance Strategy in collaboration with Forum Members, CROP agencies and the UN Framework Convention on Climate Change (UNFCCC) Secretariat.³³ The Regional Climate Finance strategy will assist the Pacific to structure and coordinate their efforts and align regional reform efforts to the emerging global climate financing opportunities, such as the green climate fund administered by UNFCCC.³⁴

Further, Tonga's volcanic eruption and the threat of more severe and frequent weather events due to climate change saw Disaster Risk Finance (DRF) high on the regional agenda as an important tool for resilience building. In a first for the Pacific region, in May 2022 a DRF symposium was held in partnership between the Pacific Islands Forum Secretariat and the Pacific Resilience Partnership DRF Technical Working Group. The event facilitated knowledge sharing around the DRF landscape in the Pacific and on how Pacific countries can develop more effective and structured national DRF strategies.³⁵ The FEM noted the need for guidelines to develop national DRF Strategies.³⁶

In addition, the PIF established a new partnership with the Pacific Catastrophe Risk Insurance Company (PCRIC) to provide advice and capacity building to Pacific Island Countries and to increase planning and preparedness against disasters. This includes the placement of a PCRIC coordinator within PIF to support disaster risk finance and risk pooling issues.³⁷

In contrast, the regional Pacific Resilience Facility (PRF), launched by the PIF in 2021 with the mandate to offer small grants to governments for community-level projects that are crucial for disaster risk reduction,³⁸ struggled to gain traction. Most activities up to mid-2022 were disrupted by the impacts of COVID-19 and a lack of firm commitments from development

33 PIFS, '2022 Forum Economic Ministers Meeting', August 2022, Outcomes, para. 30 (v).

34 PINA, Ligaiula, Pita, Proposal to develop a regional climate finance Strategy (August 2022) <<https://pina.com.fj/2022/08/11/proposal-to-develop-a-regional-climate-finance-strategy/>>.

35 PIF, 'Pacific Spotlight on regional Disaster Risk Financing' (May 2022) <<https://www.forumsec.org/2022/05/02/pacific-spotlight-on-regional-disaster-risk-financing/>>.

36 PIFS, 2022 Forum Economic Ministers Meeting, August 2022, Outcomes, para. 31.

37 PIF, 'New benefits for Pacific Forum/PCRIC Disaster Risk Finance partnership' (February 2022) <www.forumsec.org/2022/02/03/pcricfeb22/>.

38 Council Pacific Affairs, The Pacific Resilience Facility (May 2021) <<https://www.council.pacificaffairs.org/news-media/economy/the-pacific-resilience-facility/>>.

partners. A shift in approach was proposed by the FEM in August 2022 to attract more donor support.³⁹

Another notable development in the region was the first community-led climate declaration, the Kioa Climate Emergency Declaration.⁴⁰ The declaration includes demands for urgent decarbonisation, recognition of loss and damage, community-informed migration strategies and community-accessible climate finance. Also included is the commitment for a Kioa Finance Mechanism, a platform bringing together resources and expertise of civil society organisations to support communities to access funding and resources for the projects needed in their homes.⁴¹

In a further positive step, the Pacific Community (SPC) launched the development of a new analytics platform, the Digital Earth Pacific project that will access, analyse and model environmental data from multiple sources to allow more informed decisions based on good information.⁴²

4 The Pacific and International Disaster Law: COP27's Loss and Damage Fund

Decades of efforts by the Pacific SIDS, as well as other climate-vulnerable countries, led to the historic decision to establish a 'loss and damage' fund at the COP27, overcoming resistance from wealthier nations that contribute to the majority of the world's emissions. The fund is planned to assist the most vulnerable and impacted countries pay for the rising costs of climate change disasters.⁴³ Many aspects of the governance of the fund however are still to be

39 PIFS, Forum Economic Ministers Meeting, Vanuatu, August 2022, C. PFRF Action Plan & Proposed phases, para. 7.

40 Pacifica Environews, 'Pacific Road to COP27: New climate declaration demands urgent progress on Loss and Damage and bold climate action in the lead up to climate talks in Egypt' (October 2022) <<https://pasifika.news/2022/10/pacific-road-to-cop27-new-climate-declaration-demands-urgent-progress-on-loss-and-damage-and-bold-climate-action-in-the-lead-up-to-climate-talks-in-egypt/>>.

41 Kioa Climate Emergency Declaration 2022, Summary of the Priorities of Pacific Civil Society based on the Kioa Talanoa, October 2022.

42 Pacific Community, Digital Earth Pacific, <<https://www.spc.int/DigitalEarthPacific>>; Chris Bartlett, 'Vulnerable Pacific Islands look to data to cope with disasters and help halt the environment', Microsoft, Stories Asia (March 2022) <<https://news.microsoft.com/apac/features/digital-earth-pacific/>>.

43 UNFCCC, 'COP27 Reaches Breakthrough Agreement on New "Loss and Damage" Fund for Vulnerable countries' (press release, November 2022) <<https://unfccc.int/news/cop27-reaches-breakthrough-agreement-on-new-loss-and-damage-fund-for-vulnerable-countries>>; Megan Rowling, 'Analysis: COP 27 loss and damage fund heralds "new dawn

resolved, such as what form the fund should take, which countries should contribute where, and how the money should be distributed. Success will depend on how quickly the fund will get off the ground.⁴⁴ As the Blue Pacific continent collectively contributes less than 1 per cent of the world's total greenhouse gas emissions but is amongst the most vulnerable to the impacts of climate change, this will be an important test of international solidarity.

5 National Developments

At a national level, governments in several Pacific countries including Fiji, Tonga and Tuvalu, continued to work with the IFRC to strengthen disaster laws and regulatory frameworks. New Zealand adopted its first Climate Adaption Plan in 2022, joining other Pacific countries that have created a strategy aiming at protecting people from the worst impacts of climate change.⁴⁵ The IFRC further published a guide for Asia Pacific National Societies concerning planned relocation in the context of disasters and climate change.⁴⁶

Other progress in 2022 included the training and equipment of Pacific Emergency Medical Teams (EMT) ready to respond to disasters, with support from WHO and other partners.⁴⁷ The training applies established global EMT standards to ensure that all teams are prepared to provide high-quality medical care. Pacific EMTs have been crucial in the national emergency response to the COVID-19 pandemic, and other hazards since their establishment.⁴⁸

for climate justice” (Reuters, November 2022) <<https://www.reuters.com/business/cop/cop27-loss-damage-fund-heralds-new-dawn-climate-justice-2022-11-20/>>.

44 United Nations Environmental Programme, story, ‘What you need to know about the COP27 Loss and Damage Fund’ <<https://www.unep.org/news-and-stories/story/what-you-need-know-about-cop27-loss-and-damage-fund>>.

45 NZ Government, ‘Adapt and thrive: Building a climate resilient New Zealand’ (2022) <<https://environment.govt.nz/assets/publications/climate-change/MFE-AoG-20664-GF-National-Adaptation-Plan-2022-WEB.pdf>>; see also Science Media Center, ‘NZ’s first Climate Adaptation Plan – Expert Reaction’ (August 2022) <<https://www.sciencemediacentre.co.nz/2022/08/03/nzs-first-climate-adaptation-plan-expert-reaction/>>.

46 IFRC, ‘Planned Relocation in the context of Disasters and Climate Change: A guide for Asia Pacific National Societies’ (2022) <<https://disasterlaw.ifrc.org/media/3797>>.

47 WHO, ‘Kiribati establishes national emergency medical team KIRIMAT to strengthen response to disasters and outbreaks’ (December 2022); WHO, ‘Marshall Islands Medical Assistance Team (MI-MAT) trains to rapidly respond during emergencies’ (December 2022); WHO, ‘The Samoa Emergency Medical Team – ready to respond’ (December 2022).

48 See WHO, ‘Emergency Medical teams (EMT) in the Pacific: Strengthening national capacity for health emergency response’ (December 2021).

Conclusion

The various developments in the area of disaster and climate change in 2022 seem to reflect a growing recognition of the need for stronger Pacific-led regional cooperation and coordination, as the risk of more extreme, cascading and converging disasters increases. The Pacific region is now at a crossroads. The region's strategies and commitments need to be followed by meaningful implementation if they are to have a meaningful impact. Only time will tell if such positive commitments lead to practical execution.