

RAOUL WALLENBERG INSTITUTE

OF HUMAN RIGHTS AND HUMANITARIAN LAW

Narrative report: Consultation on a human rights-based approach to displacement in the context of disasters and climate change in Vanuatu

**Melanesian Hotel, Port Vila
27 November 2019**



Participants in the roundtable discussion in Port Vila

On 27 November, the Raoul Wallenberg Institute of Human Rights and Humanitarian Law convened a consultation on the research that we have been conducting over the past two years on displacement in the context of disasters and climate change. The focus of the consultation was on the particular situation in Vanuatu, although insights from the broader ten-country study were also shared.

The consultation included representatives from government, civil society, faith-based organizations, traditional leaders, academia and youth. Ground support from Oxfam Vanuatu and Savvy Vanuatu is gratefully acknowledged. The energetic, frank and robust discussions that characterised the roundtable are a reflection of the expertise and commitment of participants, which RWI is grateful to have shared.

The consultation opened with a presentation by Dr Matthew Scott (RWI). Dr Scott provided an overview of RWI as an academic institute affiliated with Lund University in Sweden that has been working at the intersection of human rights research, education and technical cooperation for the past 35 years, with regional and bilateral programmes in Africa, Europe, MENA and

Asia-Pacific.¹ He presented the regional environment and human rights programme coordinated by the Institute's Jakarta office, under which the regional thematic study on internal displacement in the context of disasters and climate change is coordinated.² He also highlighted the complementary Building Resilience to Disaster Risk programme,³ which works to identify and develop good practices for integrating human rights-based approaches to disaster risk management and climate change adaptation across Asia and the Pacific.



The researchers in discussion with local stakeholders in Vanuatu

Matthew presented the overall ten country research initiative,⁴ including its framing in international and regional strategies⁵ and the research questions that the study sets out to answer.⁶ He introduced the Background Brief on Key International Standards and Guidelines Relating to Displacement in the Context of Disasters and Climate Change⁷ and explained how the 24 core standards and guidelines identified in this document were used to evaluate domestic law and policy relating to disaster risk management and climate change adaptation in each of the ten countries in the study. He pointed to some of the key insights gained from the review of law and policy in Vanuatu and the Solomon Islands, which are set out in detail in national law and policy reports, and more concisely in two page information sheets for each country. As with the Background Brief, the national law and policy reports approach the issue using the

¹ <https://rwi.lu.se/where-we-work/regions/asia/>

² <https://rwi.lu.se/disaster-displacement/>. All documents presented at the roundtable discussion are available via this link

³ <https://www.adpc.net/igo/category/ID1353/doc/2018-a17Hyl-ADPC-BRDRBrochure.pdf>

⁴ Including China, Cambodia, Thailand, Myanmar, Indonesia, the Philippines, Nepal, Bangladesh, Vanuatu and the Solomon Islands

⁵ 20th anniversary of the 1998 Guiding Principles on Internal Displacement, Paragraph 19(c) of the Sendai Framework for Disaster Risk Reduction, Paragraph 28 of the 2019 GPDRR Co-Chairs' Report, Goals 1 and 3 of the Framework for Resilient Development in the Pacific 2017-2030

⁶ 1) To what extent does domestic law and policy reflect key rights-based international standards and guidelines relating to displacement?

2) To what extent is the domestic legal and policy framework reflected in one specific instance of displacement?

⁷ <https://rwi.lu.se/background-brief-key-international-standards-and-guidelines-relating-to-displacement-in-the-context-of-disasters-and-climate-change/>

framework provided by the 1998 Guiding Principles on Internal Displacement, addressing the prevention of displacement, protection during displacement and facilitation of durable solutions.

Matthew also highlighted the ambition of translating this research into practical engagement in the region over the remaining two years of the regional Asia-Pacific programme on human rights and environment. He noted the plan to participation in the 2020 Asia Pacific Ministerial Conference on Disaster Risk Reduction (APMCDRR) in Brisbane, Australia, and described the idea of developing a capacity strengthening initiative that combines blended learning on a human rights-based approach to disaster displacement with a change initiative in which key actors develop and implement an initiative to address this issue, from a human rights-based approach, within their organizations. He emphasized that RWI is committed to working in partnership with others in the region in a manner that avoids duplication and creates synergies, addressing priorities of people who live in the region.



Port Vila after Cyclone Pam in 2015

Tess Van Geelen, who assisted Dr Margaretha Wewerinke-Singh of the University of the South Pacific, presented the research on displacement of people from Mataso Island in Vanuatu in the context of Cyclone Pam in 2015. Key issues arising from the research included the following:

- 1) The failure of early warning to alert people of the impending cyclone
- 2) The importance of consultation and prior, informed and voluntary consent for evacuation, which informants claimed had not happened when women, elderly people and people with disabilities were evacuated a week after the cyclone
- 3) The challenges associated with arrangements to place evacuated people with family or community members, including the added burden this places on the host, and the lack of protection, including from sexual and gender-based violence
- 4) The adverse livelihood impacts of longer duration evacuation, as crops go untended
- 5) The important role of the chiefs and the need to better integrate this system into disaster management

Discussion focused on the following themes:

How to work on gender empowerment within traditional structures

As the case study on evacuation from Mataso Island highlighted different perceptions of the evacuation process, which appears to have taken place in accordance with traditionally male dominated processes and largely without consulting women, the question of how to align human rights-based commitments to gender equality with a recognition of the importance of the traditional governance structures that operate in Vanuatu.

Key take aways from this discussion included the potential for engaging in more local level dialogue around gender equality, whilst at the same time acknowledging that this is a process that must be led by actors within Vanuatu in accordance with their own priorities.

Localisation

Vanuatu is a country consisting of some 83 islands, 65 or so of which are inhabited. These islands are spread across approximately 1,500 square kilometres. In this context, the idea that state authorities, including the National Disaster Management Office, can independently manage disaster risk (including the risk of displacement), has no traction. All participants recognised the need to focus more resources on local level resilience-building, whilst also welcoming the idea of strengthening the capacity of local actors (particularly the church and the chiefs) around rights-based approaches, whilst also building preparedness and response around the existing capacities of local actors, including centuries of traditional expertise. Although there may be several mechanisms for delivering such capacity strengthening initiatives, one that was mentioned would involve drawing upon the newly created administrative structure under the coordination of the Department of Local Authorities, which engages community disaster and climate change committees.

Recognising the moral and spiritual dimension of human rights

Following on from a discussion around the role of churches in preparedness and response, one participant reflected upon the different dimensions of a human rights-based approach. In Vanuatu, the moral and religious dimension, based on love for one's neighbour and similar principles, was recognised as having a potentially deeper resonance amongst the population than more narrowly legalistic formulations. This point is particularly salient when considering localisation of this a human rights-based approach.

Capacity strengthening of students

In addition to churches and chiefs, the role that university (and high school) students can play in addressing displacement risk was highlighted. It was noted that students in university (including law students) are not always exposed to international frameworks and would find this kind of material interesting and relevant.

Collaboration between civil society and state actors

There was a resounding consensus that Vanuatu benefits from a very close collaboration between government bodies (such as the NDMO, Department of Local Authorities and the Disability Desk) and civil society. This was explained in part because of the small scale of the country (consisting of about 200,000 inhabitants), as well as the national emergency of Cyclone

Pam in 2015, which brought these actors very closely together in reforming the country's disaster management infrastructure.

It was further recognised that these actors, including those around the table, had been exposed to key international standards and guidelines through their extensive engagement in these issues and their collaboration with international actors.

Translating Vanuatu's progressive legal and policy framework into rights-based action in particular instances of displacement

Finally, considerable time was devoted to discussing the very real challenges that all actors in Vanuatu have faced in responding to the large-scale displacement associated with the Ambae volcano. Participants provided detailed accounts of the different forms of harm associated with the evacuation from Ambae island to two neighbouring islands, including harm relating to the right to food, the right to shelter, the right to freedom of movement, the right to property, the right to education, the right to social security amongst others. One participant observed that the progressive National Policy on Climate Change and Disaster-Induced Displacement was developed in response to Cyclone Pam, but that the Ambae evacuation was a very different kind of displacement, which Vanuatu's legal and operational framework was not prepared to deal with.

Clearly, for a country that is among the most climate vulnerable in the world, the challenges associated with displacement in the context of disasters and climate change are highly unlikely to abate in the foreseeable future. The roundtable discussion painted a picture of a highly competent, committed and collaborative group of government, civil society, church and traditional governance actors who are facing a challenge requiring far greater resources that are currently available.

