

Chapter 4

FIJI

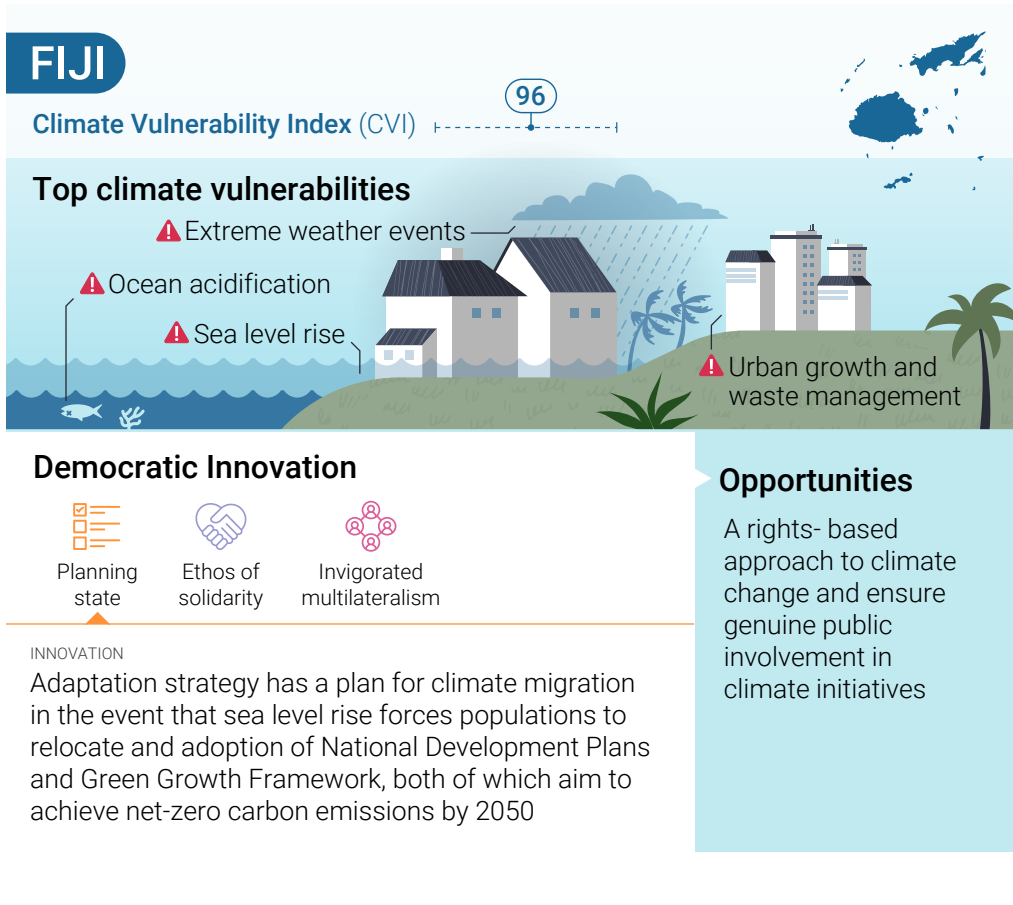
4.1. INTRODUCTION

Fiji is a republic with a democratic constitution and three tiers of government—national, provincial and municipal. Fiji's system of government is unicameral parliamentary, with a president as the ceremonial head of state and a prime minister as the head of government. Parliament has 51 members, which will increase to 55 at the next election. Members of Parliament (MPs) are elected to four-year terms via an open-list system of proportional representation. Only 14 per cent of parliamentarians are women, which is just one example of the broad underrepresentation of women at all levels of state authority in Fiji (United Nations Office of the High Commissioner for Human Rights 2018). Fiji has four administrative divisions—the northern, eastern, central and western divisions—and 14 provinces. Each division has a commissioner responsible for coordinating government activities (Rahman and Singh 2011). The island of Rotuma is a dependency with an island council, which gives it some degree of internal autonomy (Titifanue et al. 2018). There are also municipal and rural councils.

While the National Board of Health regulates rural local councils, municipalities are regulated by the Ministry of Local Government. Fiji also maintains a traditional *iTaukei* (Indigenous Fijian) system of customary law and government alongside its western legal system. *iTaukei* villages are excluded from the Local Government Act 1972, even though some are located inside municipal boundaries. *iTaukei*

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Figure 4.1. Fiji



affairs are governed under the iTaukei Affairs Act 1944 (Winterford and Gero 2018). At the provincial level, there are 14 councils that form part of the traditional system of governance.¹ Despite their lack of legislative power, provincial councils are essential conduits through which traditional leaders and the national government communicate. In 2009, the government dissolved all elected municipal councils and replaced them with government-appointed Special Administrators to oversee the system of local government (Rahman and Singh 2011).

¹ The 14 provinces have a total of 187 districts (*Tikina*) and about 1,171 villages (*Koro*).

Fiji's politics have been volatile and dynamic since independence in 1970. Regular coups d'état have disrupted democratic governance on several occasions. Disagreements regarding how democracy should be normatively institutionalized defined these disruptions. Elections have been held only irregularly in Fiji. The promulgation of a new Constitution in 2013 paved the way for Fiji to move from eight years of arbitrary rule (2007–2014) to a parliamentary democracy. Two relatively free elections followed in 2014 and 2018. The transition to a fully functioning democracy by international standards is far from complete, and Fiji's history of military-backed coups (Kant 2017) is reflected in the country's relatively low ratings for social rights and equality, direct democracy and local democracy in the GSoD Indices (International IDEA 2021). Fiji receives higher scores for inclusive suffrage and electoral participation.

Fiji's democratic past was influenced by its history of coups, and by the influence of Prime Minister Josaia Voreqe 'Frank' Bainimarama (a former coup leader) and his FijiFirst party over the legislature. Optimism surrounding Fiji's return to parliamentary rule in September 2014 gave way to pessimism as the government continued to behave more like a dictatorship than a democracy (see e.g. Kant 2017). Elections in 2014 had shifted Fiji's political landscape towards democracy while legitimizing Bainimarama's personalist/military dictatorship as an elective autocracy. The CIVICUS Monitor classifies Fiji's civic space as 'obstructed' due to the severe restrictions on fundamental civil rights (CIVICUS Monitor 2022; see also CIVICUS Monitor 2021a, 2021b). The 2013 Constitution gives the Republic of Fiji Military Forces overall responsibility for the security and well-being of all Fijians (Constitution 2013: s. 131(2)). Writing for the Lowy Institute, Stewart Firth states that: 'Fiji is a democracy by military permission, and the military forces are charged to intervene once again if necessary' (Firth 2018). Thus, the likelihood of further military intervention in the democratic process is ever-present.

4.2. CLIMATE VULNERABILITY

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Adaptation Initiative (ND-GAIN) Index for 2020, where it features as the 87th most vulnerable country and the 66th most ready country (University of Notre Dame 2022a, 2022b). Fiji's agriculture, forestry, tourism, and water and energy supply are all facing the effects of climate change (Government of the Republic of Fiji 2020).

Approximately 90 per cent of Fiji's population and infrastructure, from towns to airports and resorts, are currently located in coastal or low-lying areas that could be adversely affected by inundation or other damage to coastal systems (Government of the Republic of Fiji 2020). Rapid urbanization is driving up the demand for housing, infrastructure and public services in the greater Suva region. Environmental and human rights experts are particularly concerned about urban growth, inadequate sanitation and wastewater treatment facilities, and poor solid waste management. Fiji has roughly 200 informal settlements that are host to about 15 per cent of the population. Many informal settlements on the fringes of towns and cities have not been subject to zoning or subdivision, making them especially sensitive to climate change. Low housing quality and restricted access to municipal services leave these areas vulnerable to increasingly frequent climate-related extreme weather events (UN OHCHR 2018).

Climate change is likely to exacerbate all the weather-related hazards in Fiji. Compared to the 1986–2005 baseline, long-term warming in Fiji is anticipated to range from 0.6°C to 2.6°C by the 2090s (World Bank Group 2021). The wide range of predicted temperature increases reflects the high degree of uncertainty. According to the 2021 World Risk Index, Fiji is the world's 14th most disaster-at-risk country because of its high level of vulnerability and inability to cope with natural disasters (Aleksandrova et al. 2021). According to statistics gathered by the Pacific Catastrophe Risk Assessment and Financing Initiative (PCRAFI), cyclones and floods are significant threats. The PCRAFI data shows that of 129 documented events, 71 were tropical cyclones and 30 were floods (Narasimhan and Cisse 2020). The 2016 Tropical Cyclone Winston (category 5) and the 2020 Tropical Cyclone Yasa (category 4) showed how Fiji's assets and infrastructure are vulnerable to climate-related damage (UNCDF,

UNU-EHS and UNDP 2020).² Many of the projected consequences of climate change are manifest in the loss of coral reefs and the reduction of other important marine and terrestrial ecosystems. These losses will continue to disproportionately affect Fiji's poor, marginalized and distant populations who live and work in these areas.

In 2014, the Fijian Government predicted that 676 communities were likely to be affected by climate change and require future relocation (Leckie 2016). Piggott-McKellar et al. (2019) refer to the Fijian Government as having identified 80 communities requiring relocation due to the impacts of severe weather events. The Internal Displacement Monitoring Centre (IDMC) predicts that 3,614 Fiji residents will need to be relocated annually because of storm surges and another 2,076 because of cyclonic winds (IDMC 2021).

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4.3. CLIMATE CHANGE LAWS AND POLICIES IN FIJI

Fiji is ranked 147 out of 180 countries, with a score of 31.30³ in the Yale and Columbia 2022 Environmental Performance Index (Environmental Performance Index 2022). It recorded relatively good scores for fisheries and heavy metals, but its scores on biodiversity, ecosystem services, acidification, wastewater treatment, air quality, sanitation and drinking water indicate areas that require urgent improvement. Other areas that need strengthening are biodiversity and habitat protection, waste management and air pollution (Government of the Republic of Fiji 2020).

Fiji is a common law jurisdiction and a constitutional democracy that guarantees citizens the right to a clean and healthy environment. Section 40 of Fiji's Constitution provides that: 'Every person has the right to a clean and healthy environment, which includes the right to have the natural world protected for the benefit of present and future generations through legislative and other means'. As a condition of these rights, the government must take steps to ensure clean air,

² The effects of Tropical Cyclone Winston led to the internal displacement of up to 76,000 people in February 2016. In addition, 40,000 homes were damaged or destroyed, affecting approximately 350,000 people, most of whom lived in Viti Levu's northern region (see e.g. Aljazeera 2020).

³ Zero (0) being furthest from the high-performance benchmark target of 100.

clean water, adequate sanitation, healthy and sustainable food, a safe climate, a non-toxic environment in which to live, work, study and play, and healthy biodiversity and ecosystems. Fiji's Constitution includes provision for the right to a healthy environment, which is a significant step forward. However, article 40(2) states that: 'To the extent that it is necessary, a law or an administrative action taken under a law may limit, or may authorise the limitation of, the rights set out in this section.'

Fiji's Government has displayed global, regional and national leadership on climate action.

Fiji's Government has displayed global, regional and national leadership on climate action. At the global level, Fiji presided over COP 23 in 2017, becoming the first Pacific Small Island Developing State to advance implementation of the historic Paris Agreement. As the first country to ratify the Paris Climate Accords, Fiji emerged as a global leader in climate change governance (Cuff 2016). Nationally, Fiji has developed several significant climate change policies in recent years (see Figure 4.2).

Fiji's 5-year and 20-year National Development Plans (NDPs) commit the government to inclusive, pro-poor and ecologically sound green growth. The NDPs also support and complement the Fiji Green Growth Framework (GGF), which aims to reduce carbon emissions, improve resource productivity and better manage natural resources in an integrated strategy that 'creates a supportive environment for everyone' (Government of the Republic of Fiji 2020: 6, 8). Fiji aims to be carbon-neutral by 2050, as set out in a raft of treaties, accords and laws. Fiji's climate adaptation strategy has a plan for climate migration in the event that sea levels rise and force populations to relocate (Government of the Republic of Fiji 2018b).

The government's most recent legislative proposal on its climate change adaptation ambitions is the Climate Change Bill, enacted by parliament in September 2021. The overall aim of the Act is to develop mechanisms for Fiji to minimize the consequences of climate change by encouraging adaptation and resilience. The Act's primary stated objective is to 'provide a framework by which Fiji can develop and implement clear and long-term climate change measures and policies that will safeguard the future of Fiji and its people, ecosystems and biodiversity in the face of the climate emergency' (Climate Change Act 2021: s. 4(a)). The Act is situated

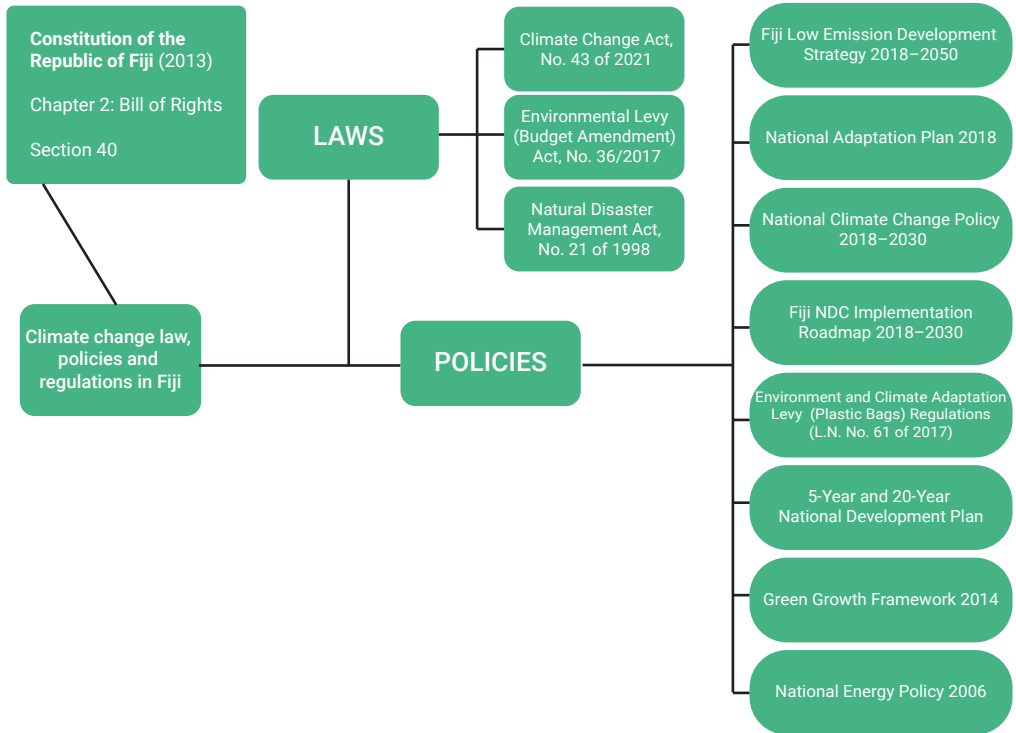
within the framework of the Paris Agreement's international commitments.

The Fijian Government has highlighted obstacles to adopting climate change mitigation and adaptation strategies, such as the lack of capacity, information, expertise and technology (Government of the Republic of Fiji 2018b). These obstacles could prevent increased access to gender- and age-disaggregated data, the monitoring of climate change impacts on vulnerable populations or improved access to information for stakeholders. Institutional impediments, such as the inadequate integration of climate risks into national development planning, reduce the ability of local government and subnational entities to carry out the work required to improve local adaptation (Government of the Republic of Fiji 2018b). The Local Government Act offers a structure for subnational coordination of operations under the direction of the Ministry of Local Government, Urban Development, Housing and Environment. However, local efforts to adopt climate change adaptation activities are not aligned with the central government's strategy, and the lack of finance, human resources and technical expertise hinders successful localization (ADPC and UNDRR 2019).

Fiji's civil society organizations have effectively collaborated with the government to bring climate action to global forums. Their success is due to significant programmes of work conducted at numerous levels from the local to the national, regional and international to accelerate climate action on agriculture, oceans, climate finance and low carbon development. Among the Fijian climate action campaigners and activists at the national level are Save the Children Fiji, the Pacific Islands Climate Action Network, the World Wide Fund for Nature (WWF) Pacific, the International Union for Conservation of Nature (IUCN), the Locally Managed Marine Area Network, Diverse Voices in Action (DIVA), the Pacific Centre for Peacebuilding, Transcend Oceania and the Fiji Commerce and Employers Federation, as well as faith-based organizations such as Global Compassion. These organizations collaborate with communities, development partners and the government to address climate change and develop sustainable response systems (see e.g. Fiji CSO SDG Task Force 2016).

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Figure 4.2. Climate change laws, policies and regulations in Fiji



Source: Grantham Research Institute on Climate Change and the Environment, 'Climate Change Laws of the World', London School of Economics, [n.d.], <<https://climate-laws.org/geographies/fiji>>, accessed 15 May 2022.

4.4. DEMOCRATIC THREATS IN THE CLIMATE CRISIS

Fiji's desire to be more involved in international affairs is strongly linked to domestic political issues. The activities of the Fijian administration in the region, and throughout the world, serve to legitimize it in its domestic political context. The military origins of Fiji's current administration and the allegations of human rights abuses made against it were barely discussed at COP 23, but whether COP 23 constitutes a success for Fiji domestically remains open to question and requires additional investigation (Ratuva 2016).

Since the military coup in 2006, populist politics, unaccountable leadership and opaque decision-making processes have been common features of Fiji's political landscape. Since transitioning to parliamentary rule in 2014, state authority has been concentrated around the executive and the central government has dominated climate change policymaking. The Fijian Government has successfully constrained individual liberty and suppressed public participation, while at the same time granting limited freedom to select groups for the purposes of boosting regime legitimacy. Political tensions in Fiji make governance a contested topic, and this has a considerable impact on climate change adaptation (Gero, Méheux and Dominey-Howes 2011).

4.4.1. Top-down approach to climate change action

Government action on climate change has been thorough and holistic, but Fiji's alignment with global discourses on development, sustainability and resilience has resulted in a top-down response influenced by the 'economic rationalist' narrative on climate change (Gelves-Gómez and Brincat 2021: 72–73). The need has emerged for enhanced public participation in environmental governance in response to criticisms of traditional top-down administration (Endres 2012). However, current participatory techniques are considered ineffectual (see e.g. Bixler et al. 2015), or to be paying lip-service to the concept of public participation as influential figures seek to conceal problematic or undemocratic political practices.

In the case of the Vunidogoloa relocation, for example, the Fijian Government used the relocation process to gradually erode villagers' autonomy, until they were left with an adaptation project that compromised their aspirations and values, and advantaged the government (Bertana 2020). By excluding the village from the technical components of the relocation—housing structure and village layout—the government exercised unilateral decision-making power, and in so doing eliminated any possibility of confrontation while at the same time moulding the tastes and desires of the Vunidogoloa villagers. Climate change is an ongoing concern for governments worldwide, and frequent high-intensity storms generate public anxiety. As in Vunidogoloa, climate calamities generate emergency circumstances and motivate government action. The government plays an important role in respect of climate-change-

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induced relocation, which makes it crucial to focus on how it negotiates relationships with affected communities, especially given the powerful position of government in relation to marginalized people (Bertana 2020).

Ensuring that local voices are heard by the state and in the political arena are critical to climate change adaptation and relocation.

To ensure environmental justice, an adaptive relocation strategy requires cooperation among state and non-state actors, while meeting the needs and wants of affected communities (Bronen 2015). Ensuring that local voices are heard by the state and in the political arena, as well as translating state and policy language into the local vernacular, are critical to climate change adaptation and relocation. Local narratives need to reach government and state institutions, just as government and policy communications need to reach communities through a medium that is compatible with community understandings and worldviews. In other words, the issue is allowing and enabling communication between varied stakeholders (Barnett and McMichael 2018).

4.4.2. Climate change relocation/migration and land

To fully appreciate Fijian culture, it is crucial to grasp the importance of land and how it affects people's sense of self, social well-being and cultural cohesion. *Vanua* is the Indigenous Fijian term for this interdependence of the physical, social, spiritual and economic. Where land is regarded as an extension of the person, moving will affect financial, spiritual and cultural well-being. *Vanua* could offer an alternative method for assessing the effects of climate-induced migration; specifically, by mediating the tension resulting from an all-encompassing policy that prioritizes 'community, security, and well-being', over an emphasis on materialism and 'progress' (Batibasaqa, Overton and Horsley 1999: 106).

As stated above, climate change has a cultural influence because of the importance of land and how it shapes people's sense of self. It is conceivable that growing conflicts between *iTaukei* and non-Indigenous communities over land ownership could impede successful climate-induced migration and relocation within Fiji (Brookbanks, Chand and Thomas 2019). Relocating populations affected by climate change raises questions about who will be permitted to move. In this respect, the government must address

relocation in a manner that respects *iTaukei* sovereignty and prevents the exacerbation of land ownership issues.

If communities are forced to move, existing land conflicts in Fiji could be aggravated because of a lack of adequate land for relocation. As more communities require relocation, the issue of land and its accessibility will raise questions regarding who to relocate, and how relocation might be negotiated between communities and *mataqalis*⁴ in a way that protects Indigenous rights and prevents future conflicts over land ownership. For Indo-Fijian groups, the fear of forced displacement is real. The planned relocation of *iTaukei* communities inland from the coast could exacerbate insecurity for Indo-Fijian settlements that rely on leasing Indigenous land for their livelihood (Brookbanks, Chand and Thomas 2019). In addition, although the Indo-Fijian community is equally vulnerable to climate change, it currently lacks the same mechanisms for requesting migration as *iTaukei* people. The development of a nationalistic Fijian identity could help to resolve the race-related features of Fiji's land-based disputes.

4.4.3. Securitization of climate change

A militaristic approach to disaster response could be problematic as it promotes short-term thinking by focusing on the most visible and devastating effects of climate change while ignoring the root causes of the crisis and the need for long-term adaptation. Community relocation, for example, is a long-term consideration (McDonald 2018). One of the harmful elements of securitization is that it legitimizes actions that delegate agency to state institutions, such as the military, while positioning affected populations as passive objects of official policy. This approach disregards the need for interchange and conversation, the participation of a diverse range of state and non-state actors to structure and implement long-term climate change adaptation, and the agency of local communities. Pacific peoples have demonstrated agency and weathered great difficulties. Adaptation should therefore be conducted with the people, not for them; it must be a joint endeavour that includes all stakeholders.

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4 An Indigenous Fijian clan or landowning unit.

As noted above, the Fijian Constitution prescribes a more proactive security watchdog role for the military. Section 131(2) gives the military ‘overall responsibility to ensure at all times the security, defence and well-being of Fiji and all Fijians’. Serious concerns have been raised about the Fijian military’s commitment to democracy (see Kant 2017). While the military sees this constitutional provision as a bulwark against unconstrained ethno-nationalism, critics regard it as a constitutional licence to intervene in national politics under the pretext of ensuring security, defence or well-being (Firth 2018; Kant 2017). In April 2020, Jone Kalouniwai, then a brigadier-general in the Fijian military and now its Commander, defended the view that Covid-19 was a good reason to remove the media’s right to question policy decisions: ‘[I]n times of such national emergency, our leaders have good reasons to stifle criticism of their policies by curtailing freedom of speech and freedom of the press’. He added that the fight against Covid-19, was ‘likely to end up violating the individual rights and rule of law that are at the heart of any liberal society’ (Kalouniwai 2020).

Adaptation techniques, such as those considered for Fiji, demonstrate the need to look beyond technocratic and policy remedies.

4.5. CONCLUSION: DEMOCRATIZING CLIMATE ACTION

Fiji’s international and constitutional human rights commitments argue that the Fijian Government should pursue a rights-based approach to climate change and ensure genuine public involvement in all climate-related initiatives, especially by the most vulnerable groups such as women, children and the poorest segments of the population. The ability of people to cope with the effects of climate change will be crucial to their long-term survival, well-being and full participation in socio-economic growth. Governments continue to play a critical role in developing and coordinating local adaptation measures by leveraging the cooperation of numerous external and internal agencies and actors at all levels. Adaptation techniques, such as those considered for Fiji, demonstrate the need to look beyond technocratic and policy remedies. It is clear from these lessons that adaptive co-management techniques are required to enable optimal adaptation outcomes (Fabricius and Currie 2015).

4.5.1. Promotion of inclusive democratic politics and processes

Local people affected by adaptation are more likely to participate if there is robust democratic decision making. Fiji's influence on the UNFCCC process led to the Talanoa Dialogue being a key Fiji-driven outcome of COP 23. The term *Talanoa* is extensively used throughout the Pacific. It places emphasis on skills such as listening and exchanging, which makes it an invaluable negotiating tool in climate change negotiations. The Talanoa proposal for climate discussions was promoted by Bainimarama as President of COP 23. He later described Talanoa as:

[A]n inclusive, participatory process—devoid of finger-pointing and blame ... of sharing stories and experiences and achieving best practice in the decisions we make. And now we have taken this process to the global level to encourage everyone to move closer to our goal of keeping the temperature rise to 1.5°C above that of the pre-industrial age.
(Bainimarama 2018)

While promoting a local Indigenous deliberative process at the international level, the Fijian Government has not been interested in pursuing the same process at the national and local levels of decision making and policymaking in Fiji. The difficulty is in establishing an open and inclusive decision-making process at both the national and the local levels in Fiji. At the strategic level, local actors—particularly from affected communities—must have substantive involvement in the formulation and implementation of adaptation strategies, as adaptation will only work if it is acceptable to the people affected, and consistent with their values and way of life (Spires, Shackleton and Cundill 2014). Putting communities at the heart of project design and execution facilitates understanding of their capacities, knowledge systems and needs.

4.5.2. Incorporating socio-cultural factors in climate action

The inclusion of local knowledge in adaptation planning promotes efficiency. Disadvantaged people often benefit from financial, technical and informational assistance, but awareness is crucial for effective adaptation (Heyward 2017). According to the

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Intergovernmental Panel on Climate Change, local actors and community engagement are required for successful adaptation (Mimura et al. 2014). Listening to Indigenous narratives and acknowledging Indigenous knowledge and skills in relation to climate change are crucial for inclusion and trust. Unfortunately, local knowledge and stories are difficult to translate into formal state and donor reports. Fijian policymakers and project implementers must consider how best to include socio-cultural aspects that bring local value and belief systems, community needs and customs into the conversation on effective climate action.

4.5.3. COP 26: Outcomes and implications for Fiji

At the beginning of COP 26 in Glasgow, Tuvalu's Minister of Foreign Affairs, Simon Kofé, gave a speech while knee-deep in the sea to highlight the consequences of sea-level rise for Small Island Developing States (Perkins 2021). Adapting particularly vulnerable countries to the effects of climate change was one of the 'hot topics' at COP 26, but outcomes fell short of expectations. The 2020 goal of raising USD 100 billion a year for the Least Developed Countries (LDCs) will not be met until 2023 (Pill 2021). The final text 'urges' states parties to deliver on the USD 100 billion goal by 2025, but this is only a recommendation (Evans et al. 2021).

For particularly vulnerable countries, the 'loss and damage' negotiations—labelled a significant issue for COP 26—left a bitter taste, as no commitment was made to mobilize new funds in the framework of a specific mechanism, thereby delaying the issue until COP 27. Fiji's Attorney-General and the Minister Responsible for Climate Change, Sayed-Khaiyum, described the draft text on loss and damage as 'very vague' and indicated that an alternative text had been suggested, which had the support of the Alliance of Small Island States (AOSIS), the Pacific SIDS and the LDCs (Doviverata 2021). The Minister stated that what they wanted from 'loss and damage' was not simply insurance but 'some financial commitments' (Doviverata 2021). The Fijian Prime Minister and Attorney-General also expressed disappointment after China and India made a successful last-minute attempt to water down the language on coal in the Glasgow Pact (Krishant 2021), with its shift from 'phase out' to 'phase down'.

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LEGISLATION

Climate Change Act 2021 (Republic of Fiji)

Constitution of the Republic of Fiji (2013)