

30 January 2024

195 Lambton Quay  
Private Bag 18-901  
Wellington 6160  
New Zealand

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T +64 4 439 8000  
F +64 4 472 9596

OIA 28929

Personal details removed for proactive release

I refer to your email of 27 November 2023 in which you request the following under the Official Information Act 1982 (OIA):

- Briefings, analyses and cabinet papers **related to climate mobility** (also known as climate migration) from August 2020 - present. This includes:
- Any proposed policy changes to accommodate persons displaced from other countries by climate change
- Suggested amendments to existing immigration schemes or the introduction of new immigration schemes.
- Documents showing how the conversation and language around climate mobility developed in the aforementioned timeframe.
- Communication strategies to address public knowledge of climate migrants.
- Considerations about implications for Māori and the role of Te Tiriti o Waitangi.
- Government reports related to climate mobility from the Pacific Islands Forum 2022 and 2023
- Whether there have been discussions of introducing a climate mobility pathway for specific Pacific countries similar to the one recently announced by Australia.
- An update on the research that MFAT has commissioned in the Pacific related to climate mobility.
- Information about the needs and requests of Tuvaluan and Kiribati communities in Aotearoa and abroad, and
- Other documents of relevance between August 2020 - present.

Please note that the following information is not requested:

- Cabinet Paper progress update: A New Zealand response to Pacific climate migration
- Pacific climate change-related displacement and migration: A New Zealand action plan
- Public lectures and speeches

On 1 December 2023 we notified you that we had transferred the following parts of your request to the Ministry of Business, Innovation and Employment (MBIE).

*Briefings, analyses and cabinet papers **related to climate mobility** (also known as climate migration) from August 2020 - present. This includes:*

- Any proposed policy changes to accommodate persons displaced from other countries by climate change
- Suggested amendments to existing immigration schemes or the introduction of new immigration schemes.

- Whether there have been discussions of introducing a climate mobility pathway for specific Pacific countries similar to the one recently announced by Australia.

On 4 December 2023 we contacted you seeking a refinement of your request to:

*Briefings, analyses and cabinet papers related to climate mobility (also known as climate migration) provided to the Minister of Foreign Affairs 1 January 2022 to present*  
*Information to include:*

- *Briefing material on climate mobility for Pacific Islands Forum Leaders meetings in 2022 and 2023 provided to the Minister*
- *Reports on climate mobility provided to the Minister of within the timeframe*
- *Communication strategies to address public knowledge of climate migrants provided to the Minister within the timeframe*
- *Reports and analysis of climate mobility implications for Māori and the role of Te Tiriti o Waitangi, if any, provided to the Minister within the timeframe*
- *Updates on research commissioned in the Pacific relating to climate mobility provided to the Minister within the timeframe.*
- *Formal Requests, if any, from the governments of Tuvalu and Kiribati, relating to climate mobility, held by the Ministry of Foreign Affairs, within the timeframe.*

On 6 December 2023, you agreed to this refined request.

On 24 January 2024, the timeframes for responding to your request were extended by an additional 15 working days because responding to your request necessitated the review of a large quantity of information, and/or due to the consultations necessary to make a decision on your request. (section 15A(1)(a) and/or 15A(1)(b) of the OIA refers).

There are 11 documents in scope of your request, set out in the document schedule below:

<b>Schedule of Documents in scope</b>			
Number	Date	Title	Withholding grounds
1	February 2022	Informal Note — Domestic Preparedness for a Large-scale Relocation Event from the Pacific to Aotearoa New Zealand	6(a); 9(2)(g)(i)
2	February 2022	Informal Note — Climate Mobility Update	6(a); 9(2)(g)(i)
3	6 April 2022	Climate Mobility Initiatives Funding Increase	6(b)(i); 9(2)(a)
4	May 2022	Regional Work on Climate Migration Issues	6(a)
5	3 May 2022	Informal Note — Additional Information on Proposed Funding Increase for Climate Mobility Initiatives	Nil
6	4 May 2022	Pacific Regional Framework on Climate Mobility	9(2)(g)(i)
7	February 2023	Climate Mobility	6(a); 9(2)(g)(i)

8	12 June 2023	Climate Migration Action Plan – June 2023 Progress Update	6(a); 9(2)(a); 9(2)(g)(i)
9	18 August 2023	Climate Migration Action Plan – August 2022 Progress Update	6(a); 9(2)(a); 9(2)(g)(i)
10	October 2023	Pacific Regional Framework on Climate Mobility	6(b)(i); 9(2)(g)(i); 9(2)(j)
11	No date	Media lines: PIF 2023 Declaration on the Continuity of Statehood and the Protection of Persons in the Face of Climate Change-related Sea-Level Rise AND PIF 2023 Pacific Regional Climate Mobility Framework	6(a); 9(2)(f)(iv)

For your information, the financial information in document 3, Climate Mobility Initiatives Funding Increase, is out of date. The most up-to-date information on planned aid expenditure is available on the Ministry website at: [https://www.mfat.govt.nz/en/aid-and-development/our-approach-to-aid/where-our-funding-goes/our-planned-aid-expenditure/#\\_ftnref2](https://www.mfat.govt.nz/en/aid-and-development/our-approach-to-aid/where-our-funding-goes/our-planned-aid-expenditure/#_ftnref2)

You have asked for *Formal Requests, if any, from the governments of Tuvalu and Kiribati, relating to climate mobility, held by the Ministry of Foreign Affairs, within the timeframe*. We refuse this part of your request under section 18(e) of the OIA, as no such requests have been received, so the information you requested does not exist.

In the information, detailed in the document schedule is attached, We have withheld some information under the following sections of the OIA:

- 6(a): to avoid prejudicing the security or defence of New Zealand or the international relations of the New Zealand Government;
- 6(b)(i): to protect the passing of information from another government on a confidential basis;
- 9(2)(a): to protect individuals' privacy;
- 9(2)(f)(iv): to protect the confidentiality of advice tendered by Ministers of the Crown and officials;
- 9(2)(g)(i): to protect the free and frank expression of opinions by departments; and
- 9(2)(j): to avoid prejudice to negotiations.

Where the information has been withheld under section 9 of the OIA, we have identified no public interest in releasing the information that would override the reasons for withholding it.

Please note that it is our policy to proactively release our responses to official information requests where possible. Therefore, our response to your request (with your personal information removed) may be published on the Ministry website: [www.mfat.govt.nz/en/about-us/contact-us/official-information-act-responses/](http://www.mfat.govt.nz/en/about-us/contact-us/official-information-act-responses/)

If you have any questions about this decision, you can contact us by email at: [DM-ESD@mfat.govt.nz](mailto:DM-ESD@mfat.govt.nz). You have the right to seek an investigation and review by the

Ombudsman of this decision by contacting [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Nāku noa, nā

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke extending to the right.

Owen Thornber  
for Secretary of Foreign Affairs and Trade

## Informal Note — Domestic Preparedness for a Large-scale Relocation Event from the Pacific to Aotearoa New Zealand

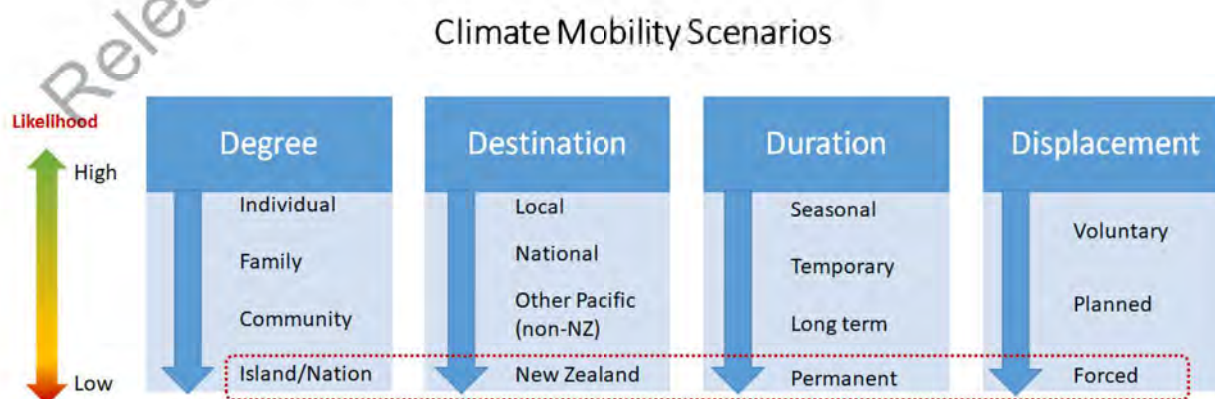
- Following the meeting between yourself, Minister Sio and Minister Shaw last year, you asked officials to explore New Zealand's preparedness for a large-scale relocation event from the Pacific to New Zealand.
- s6(a)

### *Climate migration is complex and touches on sensitive issues*

- Based on initial feedback from relevant agencies – brought together as the Interagency Working Group on Climate Mobility – key domestic policy matters to consider in preparing for a large-scale relocation event include:
  - Te Tiriti o Waitangi obligations;
  - international legal issues around statehood and human rights;
  - eligibility for and availability of social assistance, superannuation, and housing;
  - immigration and citizenship status.
- s9(2)(g)(i)
- s9(2)(g)(i)

### *How and when we engage with the Pacific on Aotearoa New Zealand's domestic policy settings will be as important as what we engage on*

- A large-scale relocation to Aotearoa New Zealand remains a drastic climate change scenario as illustrated in the diagram below.





- s9(2)(g)(i)

*Key domestic preparedness considerations will be influenced by our engagement in regional and multilateral fora*

- We suggest New Zealand focuses most of its currently limited cross-agency resources and international development cooperation on the other, more likely, climate mobility scenarios where New Zealand could currently play a more constructive role. At the same time we suggest New Zealand continues to engage with regional and multilateral fora, and step up our investments in climate migration research (see accompanying climate mobility update):
  - Pacific led approach: Our longer term domestic preparedness planning would benefit from our continued focus on accelerating and scaling up our efforts to support Pacific-led national planning, regional dialogues and multilateral policy development on climate mobility
  - Consistency with regional and international frameworks: Our engagement in regional and multilateral processes in particular will have flow on effects for Aotearoa New Zealand's domestic management of a mass relocation scenario and how we consider any long-term Pacific immigration increases due to slow-onset climate change effects. For example, we want our policy to be consistent with the proposed (but not yet developed) Pacific Islands Forum regional framework for climate migration
  - Engagement with other international partners: Climate mobility is a global issue and international partners also have foreign policy interests in this area. In the Pacific, this includes Australia, France and the US, who have strong ties with Pacific Island countries who are vulnerable to the adverse impacts of climate change.
- In addition to accelerating the work outlined in accompanying climate mobility update, we propose to continue to monitor and report significant developments related to large-scale mass relocations. s9(2)(g)(i)

Development People and Planet Division  
Ministry of Foreign Affairs and Trade  
February 2022

## Informal Note — Climate Mobility Update

- In May 2021 officials provided you with an overview and progress report against the 2018 Climate Migration Action Plan. You asked us to explore ways to accelerate delivery of some of those actions ahead of the mandated 2024 cabinet report back.
- Given the range of priority climate issues being taken at the time, work on climate mobility was de-prioritised to focus on climate finance. Progress against the Action Plan has remained broadly on track, although COVID-19, and its associated closed borders and national lockdowns, has slowed progress on some development projects.
- Officials are now looking to accelerate and scale up work under the Action Plan, now that climate finance funding is in place and the strategy under way. This is enabled in part by the increased climate financing envelope.
- Ahead of the development of the climate finance strategy, we anticipate seeking your approval to:
  - **Increase the level of funding available for the climate mobility research programme** – this research will be essential to better define and size the problems and opportunities associated with climate mobility, evaluate affected communities' adaptation or relocation options, and clarify the multiple social, economic, cultural and intergenerational issues involved.

The research will help us and our Pacific partners to develop evidenced-based policy to address climate mobility issues. We are currently in the procurement process and hope to increase the funds available to commission the research.

  - **Extend our funding for the next phase of the Pacific Climate Change Migration and Human Security Programme<sup>1</sup>** – we have seen the benefits of the programme in enhancing coordination and capacity amongst Pacific Governments and non-government actors and supporting regional action.

The second phase of this programme will build on regional and national consultations across 13 Pacific countries<sup>2</sup>, assist in the development of national climate mobility frameworks and contribute to a proposed regional framework for climate migration through the Forum process.

s6(a)

- We have identified climate mobility development activities to be considered as part of the International Climate Finance Strategy. s9(2)(g)(i)

<sup>1</sup> The programme is led by the International Organization for Migration (IOM), alongside the International Labour Organization (ILO), the Office of the High Commissioner for Human Rights (OHCHR), the Economic and Social Commission for Asia and the Pacific (ESCAP), Platform on Disaster Displacement (PDD) and the Pacific Islands Forum Secretariat (PIFS).

<sup>2</sup> Consultations have been undertaken with Nauru, Fiji, Tonga, Tuvalu, Vanuatu, Papua New Guinea, Kiribati, Federated States of Micronesia, Republic of the Marshall Islands and the Cook Islands. Consultations in Solomon Islands, Niue and Palau are scheduled for the first quarter of 2022.



s9(2)(g)(i)

- Legal questions related to the impacts of sea-level rise on statehood and the protection of persons is another area where we see potential for increased Aotearoa New Zealand engagement. This is a complex topic which engages issues relating to sovereignty and human rights. In late 2021, the PIF provided information and examples of Pacific practice regarding sea-level rise to the International Law Commission<sup>3</sup> to inform its work in this area. This submission noted that this topic is of vital importance to PIF Members and the rest of the global community, and that a substantial amount of work is needed to develop a regional position.
- We welcome your views on frequency of reporting on this topic. We propose to provide a further update on activities under the Climate Migration Action Plan by submission mid-year.

Development People and Planet Division  
Ministry of Foreign Affairs and Trade  
February 2022

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<sup>3</sup> The International Law Commission (ILC) is a United Nations mandated body of experts responsible for helping develop and codify international law. It has been considering the relationship between sea-level rise and international law since 2019. While the ILC's work was initially focused on the broader examination of sea-level rise, it is now turning to an examination of the sub-topics of statehood, and issues related to the protection of persons affected by sea-level rise.





6 April 2022

Minister of Foreign Affairs

For approval by

21 April 2022

## Climate Mobility Initiatives Funding Increase

BRIEFING Decision Submission

PURPOSE To seek your approval to increase funding to existing Climate Mobility initiatives through the reallocation of funds within the Climate Change programme.

## Tukunga tūtohua – Recommended referrals

Minister of Climate Change

For information by

21 April 2022

Associate Minister of Foreign Affairs

For information by

21 April 2022

## Taipitopito whakapā – Contact details

NAME	ROLE	DIVISION	MOBILE PHONE
Llewellyn Roberts	Divisional Manager	Development People and Planet	s9(2)(a)
Caitlin Goggin	Policy Officer	Development People and Planet	s9(2)(a)

## Mā te Tari Minita e whakakī – Minister's Office to complete

<input type="checkbox"/> Approved	<input type="checkbox"/> Noted	<input type="checkbox"/> Referred
<input type="checkbox"/> Needs amendment	<input type="checkbox"/> Declined	<input type="checkbox"/> Withdrawn
<input type="checkbox"/> Overtaken by events	<input type="checkbox"/> See Minister's notes	

**Comments**

## Climate Change Initiatives Funding Increase

Pito matua – Key points

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- Aotearoa New Zealand's existing Climate Change Programme (CCP) works in partnership with our Pacific neighbours to help build climate resilience in the Pacific. This includes funding climate mobility initiatives to deliver against Aotearoa New Zealand's Climate Migration Action Plan. Our climate mobility work embodies the principles underpinning the Pacific Reset to Resilience Strategy, particularly Tātou tātou (all of us together) and Turou Hawaiiki (navigating together).
- Officials recommend you agree to utilise \$14.88 million currently unallocated within the existing Climate Change Programme to strengthen further the existing Climate Mobility work stream. The whole-of-life budget for this Activity would increase from \$6.69 million to \$21.57 million, moving approval to your delegation level.
- The majority of the funds, \$11.88 million, would fund a second phase of the Pacific Climate Change Migration and Human Security programme (PCCMHS). This extends our current support for the programme and will continue to:
  - Hold further national, regional and civil society consultations to discuss climate related mobility;
  - Continue to provide technical support for the development of a Regional Framework on climate mobility, as it is shepherded through the Pacific Islands Forum;
  - Provide direct support to target countries across the Pacific in developing their own national climate mobility frameworks and policies; and,
  - Strengthen the capacity of civil society actors/affected migrant populations to address climate mobility and advocate for governmental responses.
- The remaining \$3 million would increase the funding ceiling to commission climate mobility research to \$5.27 million. This research will strengthen our understanding of patterns of current and future Pacific climate migration, and the social and economic impacts on Aotearoa New Zealand and Pacific Island countries.
- In both instances, officials expect the proposed funding would be an 'upper limit.' s6(b)(i)
- Attached in the Pūrongo – Report is more detail on the PCCMHS and the climate mobility research, and how they deliver against the Climate Migration Action Plan.

Andrew Needs  
for Secretary of Foreign Affairs and Trade

## Climate Change Initiatives Funding Increase

Tūtohu – Recommendations

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It is recommended that you:

- |   |   |                 |
|---|---|-----------------|
| 1 | <b>Approve</b> an increase of NZ\$14.88 million to the Climate Mobility Activity (through reallocation within the existing Climate Change programme), taking the whole-of-life funding for this project to NZ\$21.57 million. | <b>Yes / No</b> |
| 2 | <b>Note</b> that this increase will fund Phase II of the Pacific Climate Change Migration and Human Security (PCCMHS) programme, and increase the funding ceiling for commissioning climate mobility research.                | <b>Yes / No</b> |
| 3 | <b>Refer</b> a copy of this submission to the Minister of Climate Change and the Associate Minister of Foreign Affairs.   | <b>Yes / No</b> |

Hon Nanaia Mahuta  
Minister of Foreign Affairs / Minita Take Aorere

Date:        /        /



## Climate Change Initiatives Funding Increase

## Pūrongo – Report

1. Climate mobility is already, and will continue to be, a major challenge for the Pacific. Recognising this challenge, in 2018 Cabinet agreed to the Aotearoa New Zealand Climate Migration Action Plan.
2. The key actions under the Action Plan are to:
  - i. Utilise International Development Cooperation funding to avert and delay climate-related displacement and prepare for Pacific climate migration;
  - ii. Facilitate regional dialogue and explore a regional approach;
  - iii. Strengthen international language and frameworks through multilateral action;
  - iv. Champion progressive development of international law to protect coastal state rights in respect of maritime zones in the face of sea level rise; and
  - v. Commission robust research.
3. This submission recommends funding Phase II of the Pacific Climate Change Migration and Human Security programme (PCCMHS), and raising the upper limit for commissioning climate mobility research. Together these activities contribute to the delivery of three ((i), (ii), and (v)) of the five actions under the Action Plan.

## Pacific Climate Change Migration and Human Security Programme (PCCMHS)

4. The PCCMHS is led by the International Organization for Migration (IOM) and works with Pacific Governments, communities and stakeholders to strengthen Pacific capacity and coordination to address climate related mobility.
5. Aotearoa New Zealand contributed \$1.1 million of the total \$7.2 million cost of Phase I of the PCCMHS.
6. Progress under Phase I of the PCCMHS includes:
  - National and community level consultations across 13 Pacific countries<sup>1</sup>;
  - A regional policy dialogue and civil society dialogue, the latter resulting in a Pacific Civil Society statement on climate mobility; and
  - The establishment of a Joint Working Group to develop a regional framework on climate mobility. New Zealand engages actively in this Joint Working Group.
7. Phase II of the PCCMHS will build on regional and national consultations, assist in the development of national climate mobility frameworks and strengthen the capacity of civil society actors/affected migrant populations. It will also maintain momentum for the proposed regional framework for climate migration to be endorsed through the Pacific Islands Forum.
8. Continuing our support for the PCCMHS is a foundational part of our delivery against the Action Plan. The programme uses local community level and national consultations across

<sup>1</sup> Consultations have been undertaken with Nauru, Fiji, Tonga, Tuvalu, Vanuatu, Papua New Guinea, Kiribati, Federated States of Micronesia, Republic of the Marshall Islands and the Cook Islands. Consultations in Solomon Islands, Niue and Palau are scheduled for the first quarter of 2022.



## Climate Change Initiatives Funding Increase

the Pacific to feed into a regional framework. While the PCCMHS is delivered by UN agencies, this regional framework is being developed in a way that honours and places Pacific views and values at the centre of this work.

9. The UN Trust Fund for Human Security is the main donor of Phase I of the PCCMHS but does not, as a matter of course, fund second phases of programmes. The full cost to fund Phase II is \$11.88 million. s6(b)(i)

## Climate Mobility Research

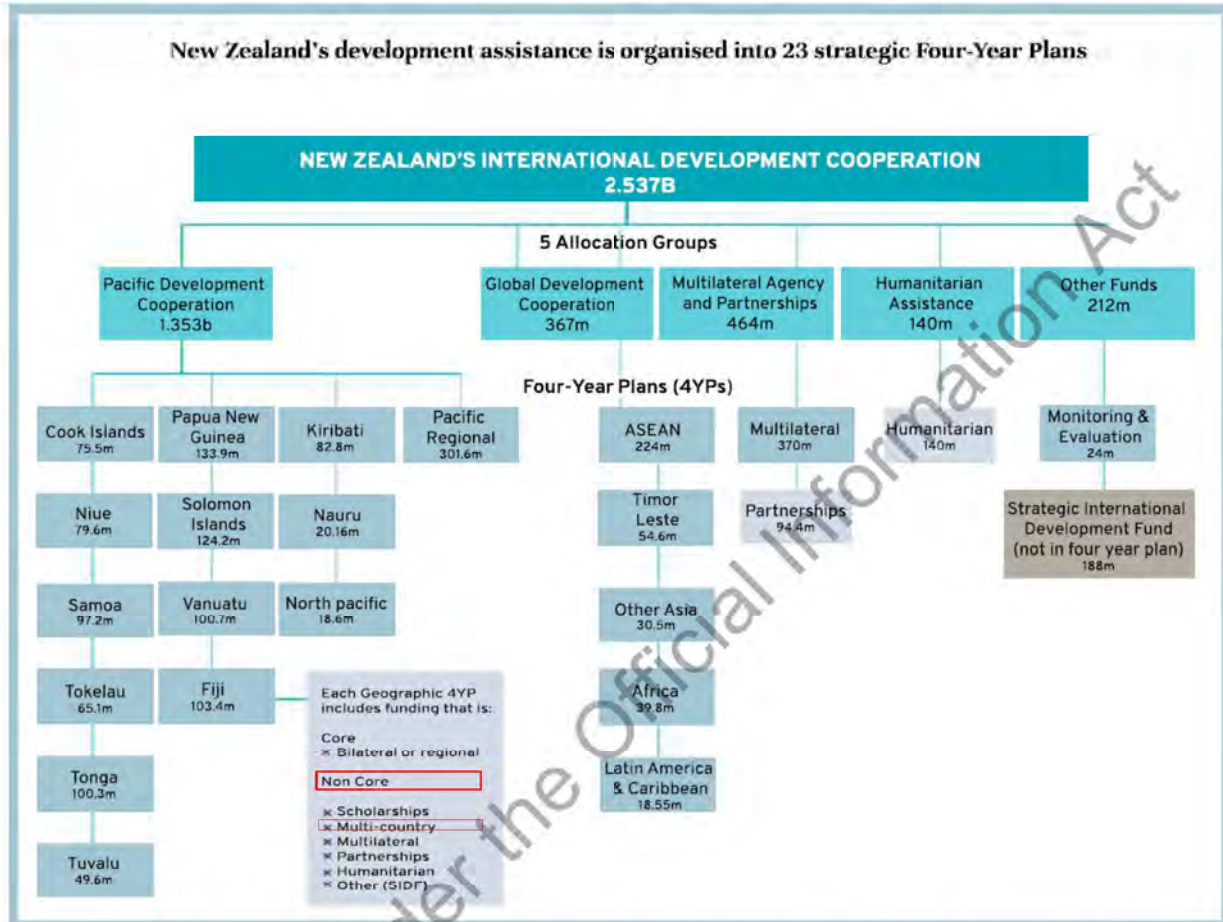
10. We know that the current lack of reliable data on climate mobility in our region impedes our ability, and the ability of our Pacific partners, to develop evidenced-based policy. This research will seek to understand the drivers and patterns of future Pacific climate mobility (internal and cross-border), as well as social and economic impacts on New Zealand and Pacific Island countries, and will be vital to inform our way forward.
11. At the time of writing, we are conducting interviews for shortlisted research suppliers. We expect to finalise contract negotiations by May 2022. Suppliers have indicated that final outcomes of the research are unlikely to be completed until late 2023, citing potential COVID-19 related delays, the nature of the research, and intended engagement with Pacific communities. In the interim, we will work with suppliers on a plan for early harvest of findings to ensure this research feeds into policy development.
12. The original upper limit for the research, identified in 2019, was determined based on a single targeted research engagement, in consultation with research teams within MFAT. Since then, MFAT has: undertaken a scoping study with an external provider; articulated more clearly the scope and size of the research through the development of a final Terms of Reference; and had discussions with shortlisted suppliers about costs associated with research of this nature.
13. From this scoping work, it is clear that we need to allow a higher upper limit to produce research outcomes that provides a depth of understanding of patterns of climate mobility within the Pacific, and social, economic, and legal policy implications for NZ and the Pacific. For this reason we are seeking an increased budget of \$3 million, to bring the total funding ceiling for the research to \$5.27 million. The final budget would need to be agreed with the contracted supplier and may be less than this upper limit.
14. Key themes of the research were developed based on a scoping study, which identified the existing gaps in climate mobility literature. These key themes are further articulated in the Terms of Reference developed in 2021, and include:
  - Understanding displacement in the context of climate related hazards: Who is exposed to what, when and why?
  - Understanding decision making: where people go and why, and why they do not move;
  - Understanding the impacts of climate mobility (resilience and well-being).



## Climate Change Initiatives Funding Increase

## Annex One: Key Alignment Information

**Funding:** For this activity, funding comes from the Multi-Country non-core components of all Four Year Plans:



**Resilience:** Further contribution to the PCCMHS, and delivering high quality research, supports climate and environmental resilience, which in turn supports economic, governance, social, intergenerational, and cultural resilience.

**Impact:** This work will have tangible impacts for communities in the Pacific faced with the challenges associated with climate change related displacement and migration, as well as provide insights to inform Aotearoa New Zealand's policy development in this space.

**Measuring impact:** The impact of both the PCCMHS' work and the research will be measured against MFAT's Climate Mobility Activity Monitoring and Evaluation Framework. The PCCMHS' progress is also monitored at quarterly Steering Committee meetings, on which MFAT representatives sit. The research will be overseen by an interagency Steering Group, which will include relevant NZ government agency representatives, plus representation from Pacific regional organisations.

**Sustainable Development Goals (SDGs):** This activity will contribute primarily to Goal 13 – Climate Action, and Goal 11 – Sustainable Cities and Communities. It will also significantly support Goal 5 – Gender Equality and Goal 16 – Peace, Justice and Strong Institutions.



## Regional Work on Climate Migration Issues

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### Key Points

- Pacific leaders continue to emphasise the need for climate mitigation and adaptation: Pacific peoples want to continue living in their own countries, where possible.
- Aotearoa New Zealand supports a Pacific regional response to the challenges of climate related mobility. Officials are engaged in the development of a Pacific Regional Framework on Climate Mobility with the intention that this will ultimately be endorsed by Pacific Islands Forum (PIF) Leaders.
- After adopting the s6(a) 'Declaration on Preserving Maritime Zones in the Face of Climate Change-Related Sea-Level Rises,' in August 2021, the PIF has turned its attention to issues of statehood encompassing sovereignty, immigration and human rights; and the protection of persons affected by sea-level rise. We continue to work closely with the PIF on these issues.

### Background

#### Regional Framework

1. The Pacific Regional Framework on Climate Mobility (Regional Framework) is intended to inform and guide Pacific Island countries' action on climate mobility. It will draw on existing international and regional agreements and legal obligations; and also reflect the diverse experiences and practices within the Pacific.
2. Aotearoa New Zealand is a member of the Joint Working Group, Co-Chaired by Fiji and Tuvalu, to oversee the drafting of the Regional Framework.<sup>1</sup> The Joint Working Group is aiming to have a draft Regional Framework prepared by August 2022. We expect further consultation and negotiations will subsequently be required before PIF Leaders can consider, and hopefully endorse, this Regional Framework.
3. New Zealand's approach to the Regional Framework is guided by the reset to resilience principles and the core values set out in the action plan for climate migration agreed by Cabinet in 2018. These core values include honouring the Pacific's social and cultural identity, the Pacific's interest to live in their own countries where possible, Pacific countries' sovereignty, and encouraging transparency and inclusive dialogue.

#### Sea-Level Rise

4. Since 2019, the International Law Commission (ILC) – a United Nations mandated body of experts responsible for helping develop and codify international law – has been considering the relationship between sea-level rise and international law. The PIF has been making submissions to the ILC on this issue throughout, via the PIF Specialist Sub-Committee on Sea-Level Rise in Relation to International Law.

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<sup>1</sup> Membership of the Joint Working Group includes 8 Pacific Islands Forum members; CROP agencies (including the PIF Secretariat); UN agencies; and an Inter-governmental agency.

5. In August 2021, PIF leaders adopted the s6(a) 'Declaration on Preserving Maritime Zones in the Face of Climate Change-Related Sea-Level Rise'. This Declaration upholds the integrity of the United Nations Convention on the Law of the Sea as the definitive legal framework within which all activities in the oceans and seas must be carried out while also safeguarding a sovereign and resilient Pacific region.
6. While the ILC's work was initially focused on the examination of sea-level rise in relation to maritime zones, it is now turning to an examination of the sub-topics of statehood, and issues related to the protection of persons affected by sea-level rise. This is a complex topic which engages issues relating to sovereignty, immigration and human rights. In late 2021, the PIF provided information and examples of Pacific practice regarding sea-level rise to the ILC to inform its work. The submission noted that this topic is of vital importance to PIF Members and the rest of the global community, and that a substantial amount of work is needed to develop domestic as well as a regional position.

#### **Research on Climate Migration**

7. We know that the current lack of reliable data on climate mobility in our region impedes our ability, and the ability of our Pacific partners, to develop evidence-based policy. Aotearoa New Zealand is currently commissioning multi-year research to better understand climate migration trends and the impact on communities in the Pacific and Aotearoa New Zealand. This research will be made available to Pacific Island countries to support their own responses to Pacific climate mobility. We are currently in a procurement process to contract researchers.
8. We expect interest in this research and its outcomes from multiple audiences within Aotearoa New Zealand, Pacific Island governments, non-governmental actors, international actors and affected Pacific communities.

Development People and Planet Division and Legal Division  
May 2022



## Informal Note — Additional Information on Proposed Funding Increase for Climate Mobility Initiatives

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- This note responds to queries raised on the 6 April submission to seek approval to increase funding for existing climate mobility initiatives.

### Question on whether the shortlisted research suppliers are from the Pacific

- MFAT worked closely with MPP to adapt our procurement process to engage potential Pasifika and Māori suppliers. All suppliers were also required to demonstrate credible Pacific knowledge and expertise as a pre-condition for evaluation of their bid.<sup>1</sup>
- All of our shortlisted research suppliers had highly experienced teams with strong Pacific research experience. These teams also included researchers of Māori and Pacific heritage. Some of the shortlisted research suppliers proposed to use Pacific based researchers within their teams.
- The evaluation panel has selected two New Zealand universities and a consultancy firm (that is a Pasifika business by 50% ownership) as the preferred research suppliers. This recommendation now needs to be approved through MFAT's internal procurement processes and is subject to contract negotiations.

### Interrogation of costs for the climate mobility research

- The submission seeks approval to increase the budget for climate mobility research to \$5.27 million. The increased budget responds to feedback during the procurement process that the current \$2.6 million budget is insufficient to address the scope and geographic coverage of the research.
- The proposed increase in budget reflects:
  - The foundational nature of the proposed research. It will be used for future policy development in Pacific Island countries and Aotearoa New Zealand. It is important to get this right.
  - The complexity of this research. Strengthening understanding of Pacific climate mobility and its impacts is a multi-year, multi-disciplinary exercise across a range of Pacific Island countries. For example, on-the-ground research with affected communities is anticipated in Tokelau, the Cook Islands, Niue, Tuvalu, PNG, Solomon Islands, Kiribati, Samoa and Tonga.
  - The need to be adaptive to achieve the desired research outcomes. Scoping work undertaken by an external provider since the \$2.6 million budget was set in 2019 has made clear that we need an increased budget. We also need to remain flexible to pursue specific issues or new topics as they arise during the course of the research.

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<sup>1</sup> The Terms of Reference provided a framework of four categories that suppliers could use to demonstrate credible Pacific knowledge and expertise - indigenous, heritage, community, professional. Suppliers could identify against more than one of these.

- The interest in this research from multiple audiences within Aotearoa New Zealand, Pacific Island governments, non-governmental actors, international actors and affected Pacific communities. Outcomes of the research will need to be communicated through a range of mediums (e.g. traditional policy briefs, webinars, social media etc.).
- We received financial documentation from our preferred suppliers as part of the procurement process (e.g. personnel costs, operational costs, management fees) but do not have a final budget. Costs will be addressed in the contract negotiations where we can confirm the scope and timeline for the research programme to be undertaken by the three preferred suppliers.
- The proposed increase in the funding ceiling will allow us to engage in contract negotiations to design a fit for purpose research programme to deliver against the research objectives. Unallocated funds will be returned to the climate change programme.
- We will provide Ministers with further financial information following contract negotiations.

#### Emergency resettlement of persons displaced by climate affected events

- Minister Sio has asked about the timing for the development of a paper on emergency resettlement of persons displaced from climate affected events. We attach an informal note provided ahead of our meeting with Minister Mahuta earlier this year that addresses the issue.
- We also note that the upcoming development of a Pacific Regional Framework on Climate Mobility will contribute to Aotearoa New Zealand's policy formation on managing a mass relocation scenario.

Development People and Planet  
Ministry of Foreign Affairs and Trade  
3 May 2022



## Pacific Regional Framework on Climate Mobility

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- Aotearoa New Zealand officials have been engaged in the development of a Pacific Regional Framework on Climate Mobility (the “Regional Framework”). We will seek a negotiating mandate from you before negotiations on 21-23 June. This note provides an update on progress, flags potential risk areas, and sets out next steps ahead of that submission.
- Our approach to the Regional Framework is guided by the reset to resilience principles and the core values set out in the action plan for climate migration agreed by Cabinet. These core values include honouring the Pacific’s social and cultural identity, the Pacific’s interest to live in their own countries where possible, Pacific countries’ sovereignty, and encouraging transparency and inclusive dialogue.

### Benefits of a Regional Framework

- Aotearoa New Zealand supports a Pacific-led regional response to climate migration. We recognise the desire of Pacific peoples to continue to live in their own countries. However, where and when climate-related displacement occurs, a regional instrument will support the movement of people within countries and within the Pacific region in considered and dignified manner.
- A collective regional response to Pacific climate migration will also:
  - feed into the development of Aotearoa New Zealand’s policy on Pacific climate migrants; and
  - provide a unified position to support regional engagement in international fora.

### Progress update on the Regional Framework

- Aotearoa New Zealand is a member of the Joint Working Group, Co-Chaired by Fiji and Tuvalu, to oversee the drafting the Regional Framework.<sup>1</sup> Fiji and Tuvalu are strong advocates for this work with Prime Minister Bainimarama delivering the opening remarks at a recent webinar focused on the drafting process for the Regional Framework.
- The non-binding Regional Framework is intended to inform and guide Pacific Island countries’ action on climate mobility. It will draw on existing international and regional agreements and legal obligations; and also reflect the diverse experiences and practices within the Pacific.

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<sup>1</sup> Members of the Joint Working Group include:

- some Pacific Islands Forum members - Cook Islands, Fiji, Kiribati, Nauru, New Zealand, Samoa, Tuvalu, Tonga and Vanuatu;
- CROP agencies - the PIF Secretariat, the Secretariat for the Pacific Community (SPC), and the Secretariat of the Pacific Regional Environment Programme (SPREP);
- UN agencies – the International Organization for Migration, the Economic and Social Commission for Asia and the Pacific, the International Labour Organisation and the Office of the United Nations High Commission for Human Rights; and
- Inter-governmental agencies – the Platform on Disaster Displacement Secretariat.

- The Joint Working Group has appointed an external consultancy firm to produce a first draft of the Regional Framework by July/August. Regional consultations are currently taking place with Pacific Island Forum members, international organisations, academics and NGOs to inform the drafting of the Regional Framework.
- The consultants' approach to drafting the Regional Framework builds on bilateral, national and regional consultations undertaken by the Pacific Climate Change Migration and Human Security Programme (PCCMHS) that is co-funded by Aotearoa New Zealand.<sup>2</sup>

### Key issues

- Consultations are based on a scoping paper and draft outline for the Regional Framework. Fundamental questions on purpose, priorities and core areas of action are being discussed to shape the draft Regional Framework.
- The proposed structure of the Regional Framework is to set out common overarching principles, provide recommendations for core areas of action and give concrete examples of how the recommendations may be given effect.
- There are a broad range of views on what the Regional Framework can and should achieve. Examples of potential risk areas for Aotearoa New Zealand in the draft outline of the Regional Framework include:  
s9(2)(g)(i)

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<sup>2</sup> A separate submission seeks your approval for Aotearoa New Zealand to fund Phase II of this programme. This includes support for the Regional Framework to be endorsed by Pacific Islands Forum Leaders.

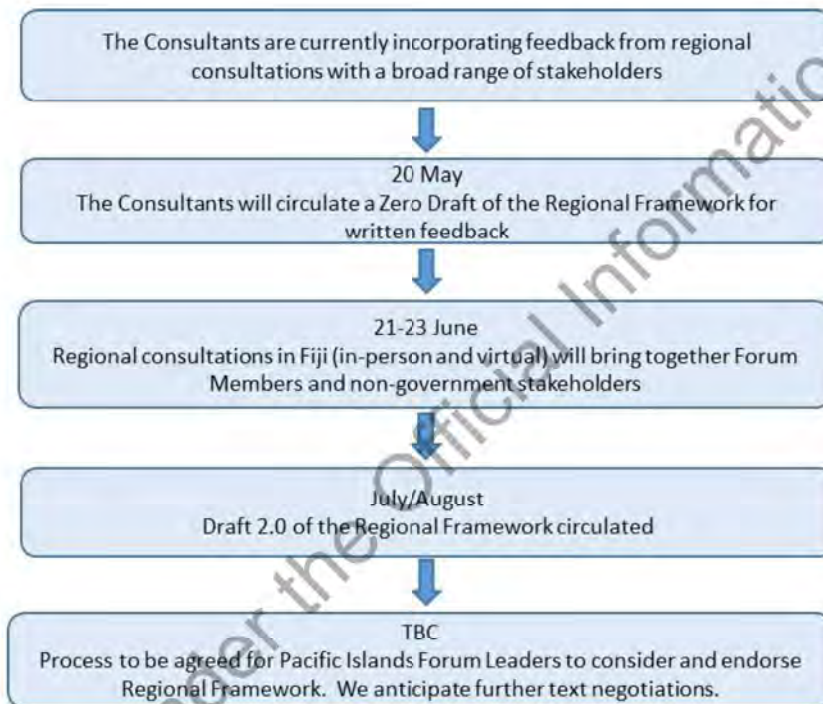


s9(2)(g)(i)

- s9(2)(g)(i)

## Next steps

- Next steps on the development of the Regional Framework are as follows:



- We will stay closely engaged on the development of the Regional Framework through our membership of the Joint Working Group.
- The drafting of the Regional Framework is happening at pace without the opportunity for domestic consultations with iwi and Pasifika diaspora communities ahead of the June negotiations. We anticipate that there will be further text negotiations on the Regional Framework as part of the process to secure the endorsement of Pacific Islands Forum Leaders. We will look for opportunities to raise the Regional Framework as part of consultations being planned for our broader climate finance work.
- We will keep you updated on key developments on the Regional Framework through the weekly report.

Development People and Planet Division  
Ministry of Foreign Affairs and Trade  
4 May 2022

## Climate Mobility

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### Key Points

- Aotearoa New Zealand supports a Pacific regional response to the challenges of climate related mobility. We acknowledge the desire of Pacific peoples to continue to live in their own countries, where possible.
- We are actively engaged in the development of a Pacific Regional Framework on Climate Mobility to guide the region's response to these challenging issues.
- We continue to engage with the international community in support of the 'Declaration on Preserving Maritime Zones in the Face of Climate Change-Related Sea-Level Rise.' The Pacific Island Forum are now turning our attention to issues of statehood and protection of persons.
- New Zealand has commissioned research to better understand patterns of future climate mobility, as well as social and economic impacts in Aotearoa New Zealand and the Pacific. This research is intended to support evidence-based policy making. It will deliver ongoing interim research products ahead of a final report in mid-2024.

### Background

#### *Regional Framework*

1. The Pacific Regional Framework on Climate Mobility (Regional Framework) is intended to inform and guide Pacific Island countries' action on climate mobility. It will draw on existing international and regional agreements and legal obligations; and also reflect the diverse experiences and practices within the Pacific.
2. NZ is a member of the Joint Working Group, Co-Chaired by Fiji and Tuvalu, to oversee the development of the Regional Framework.<sup>1</sup> s9(2)(g)(i)

#### *Sea Level Rise*

3. The 2021 PIF Declaration on Preserving Maritime Zones in the Face of Climate Change-Related Sea-Level Rise sets out our region's collective position on how the United Nations Law of the Sea Convention on maritime zones apply in the situation of climate-change-related sea-level rise. It makes clear our intention to maintain our maritime zones, without reduction and our view that this approach is supported by UNCLOS and the principles underpinning UNCLOS.
4. s6(a)

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<sup>1</sup> Membership of the Joint Working Group includes 8 Pacific Islands Forum members; CROP agencies (including the PIF Secretariat); UN agencies; and an Inter-governmental agency.



The Declaration has received endorsements by close to 100 geographically diverse countries, including the membership of the Alliance of Small Island States and the Organisation of African, Caribbean and Pacific states. Many more countries, including the US, have expressed support for the objective of preserving maritime zones in the face of sea-level rise. It is also proving influential in the International Law Commission's work on the topic.

5. The Forum is now exploring other important legal issues related to sea level rise. MFAT officials will attend the upcoming Regional Conference on "Preserving Statehood and Protecting Persons" affected by sea-level rise on 27-30 March 2023, convened by the PIF.

*DEVPP/LGL February 2023*

12 June 2023

Minister of Foreign Affairs

For action by

22 June 2023

## Climate Migration Action Plan – June 2023 Progress Update

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BRIEFING      Overview Submission

PURPOSE      Update on progress on the 2018 Climate Migration Action Plan

## Tukunga tūtohua – Recommended referrals

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Minister for the Environment	For information by	29 June 2023
Minister of Immigration	For information by	29 June 2023
Minister for Pacific Peoples	For information by	29 June 2023
Minister of Climate Change	For information by	29 June 2023

## Taipitopito whakapā – Contact details

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NAME	ROLE	DIVISION	WORK PHONE
Llewellyn Roberts	Divisional Manager	Development (People and Planet)	s9(2)(a)
Ali Carlin	Unit Manager	Development (People and Planet)	s9(2)(a)



## Pito matua – Key points

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- In 2018 Cabinet agreed that Aotearoa New Zealand adopt early, calibrated and transparent action on climate-change related displacement and migration in the Pacific. This submission responds to the request from Ministers to be regularly updated on progress and reports against the five key actions identified in the Action Plan.

*Action one: Utilise International Development Cooperation (IDC) funding to avert and delay climate-related displacement and prepare for Pacific climate migration*

- Specific climate mobility activities include supporting Fiji plan for community relocations and to prevent migration-related conflict. These activities are on track:
  - The Standard Operating Procedures for the Fiji Relocation Trust Fund have been finalised and agreed by the Fiji Cabinet and MFAT's \$1.5m payment to the Fund has been made;
  - We have recently extended our support to the NGO delivering conflict mitigation work in Fiji to facilitate expansion to Solomon Islands and Papua New Guinea.

*Action two: Facilitate regional dialogue and explore a regional approach*

- MFAT maintains active engagement on the Joint Working Group to oversee the development of the Regional Framework and fund technical support for this initiative. The Draft Regional Framework is being consulted and is expected to be ready for consideration by Pacific Islands Forum (PIF) Foreign Ministers and PIF Leaders in September and November respectively.

*Action three: Strengthen international language and frameworks through multilateral action*

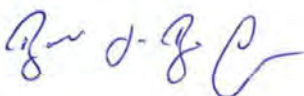
- This area has not been a focus in recent months although we continue to work on the development of international law as described below and use regional developments to inform engagement at the multilateral level when opportunities arise.

*Action four: Champion progressive development of international law*

- We continue to build international support for the PIF Leaders "Declaration on Preserving Maritime Zones in the Face of Climate Change-Related Sea-Level-Rise". We are also working with other PIF members to develop a regional approach on the complex legal issues of preserving statehood and protecting persons affected by sea-level rise. PIF member officials are developing a draft regional normative declaration on preservation of statehood, including relevant elements on the protection of persons, for consideration by PIF Foreign Ministers and PIF Leaders in September and November respectively.

*Action five: commission robust research*

- We have finalised research contracts with the Universities of Auckland and Waikato, and Mana Pacific Consultants. The field research is now underway and expected to be completed by late 2023. The final report is due in July 2024 but "early harvest" policy briefs will become available to MFAT from around July 2023. These will inform engagement with domestic agencies and other key stakeholders likely from early 2024.



Bernadette Cavanagh  
for Secretary of Foreign Affairs and Trade

## Tūtohu – Recommendations

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It is recommended that you:

- |   |   |                 |
|---|---|-----------------|
| 1 | <b>Note</b> the progress made on the 2018 Climate Migration Action Plan.  | <b>Yes / No</b> |
| 2 | <b>Note</b> the work being undertaken: <ul style="list-style-type: none"><li>• to deliver International Development Cooperation to avert and delay climate related displacement and prepare the Pacific for Pacific climate migration;</li><li>• to support the development of a Pacific Regional Framework on Climate Mobility to be considered by PIF Leaders in late 2023;</li><li>• to work with other PIF members to develop a regional approach to the issue of sea-level rise and questions of statehood and the protection of persons including development of a PIF Leaders Declaration for consideration in November 2023; and,</li><li>• on climate mobility research to support evidence-based policy making.</li></ul> | <b>Yes / No</b> |
| 3 | <b>Refer</b> a copy of this submission to the Minister for the Environment, the Minister of Immigration, the Minister for Pacific Peoples and the Minister of Climate Change.   | <b>Yes / No</b> |

Hon Nanaia Mahuta  
Minister of Foreign Affairs / Minita Take Aorere

Date:        /        /



## Pūrongo – Report

The 2018 Climate Migration Action Plan identified five early actions for Aotearoa New Zealand to respond to the challenges of climate mobility. These are to:

- utilise International Development Cooperation (IDC) funding to avert and delay climate-related displacement and prepare for Pacific climate migration;
- facilitate regional dialogue and explore a regional approach;
- strengthen international language and frameworks through multilateral action;
- champion progressive development of international law to protect coastal state rights in respect of maritime zones in the face of sea level rise; and
- commission robust research.

2. We have made solid progress under the Action Plan, notably with: building support for the PIF Leaders' 'Declaration on Preserving Maritime Zones in the Face of Climate Change-related Sea-Level Rise'; participating in early regional discussions on the issue of sea-level rise and questions of statehood and the protection of persons; support for the Fiji Relocation Trust Fund; and, the ongoing negotiations on a Pacific Regional Framework on Climate Mobility.

3. Progress against each of the actions and the key activities are reported below and summarised in Annex 1.

### Action 1: Utilise IDC funding to avert and delay climate-related displacement and prepare for Pacific climate migration

4. The following IDC-funded activities specifically focus on climate mobility:

- **Fiji Relocation Trust Fund** – In December 2019 New Zealand pledged NZ\$2 million to support the establishment of the Fiji Relocation Trust Fund. The Fund is now established and its Standard Operating Procedures agreed by Fiji's Cabinet. This Fund will support the planned relocation of Fijian communities affected by climate change. We provided NZ\$500,000 of that initial pledge to the development of Standard Operating Procedures (SOPs) to guide the Fund's implementation and have now released the remaining NZ\$1.5 million contribution to the Fund.
- **Building Peace in Communities Affected by Climate Change** – New Zealand funds an international NGO that works in three rural districts in Fiji to help prevent and manage conflicts emerging as a result of climate-change related displacement and relocations. In Solomon Islands, the NGO is commencing work under the Building Peace in Communities Affected by Climate Change programme to work with local peacebuilders to deliver peace training and maintain a community of practice. Work to date to expand the programme to Papua New Guinea has included desk research and interviews with stakeholders regarding climate mobility to Papua New Guinea from atolls, and any conflict risks associated with this.
- **Pacific Climate Change, Migration and Human Security Programme** – The priority of the programme – led by the International Organisation on Migration (IOM) - has been to support development of the Regional Framework on Climate Mobility (see Action Point 2 below). In Phase 2 the programme will pivot to providing bilateral support for climate mobility policy development.



- **Climate mobility research** – please see Action Point 5 below.

#### Next steps

5. New initiatives will be considered as we plan for the next triennium of funding (starting 1 July 2024).

### **Action 2: Facilitate regional dialogue and explore a regional approach**

6. We are working with PIF partners to develop a Regional Framework that:

- guides Pacific government action on climate mobility, including identifying priority areas for regional action;
- draws on existing experience within the region, including Aotearoa New Zealand's domestic experiences; and
- provides a unified regional position that we can advocate for in international settings.

7. The Regional Framework reflects the wide range of complex and challenging climate mobility issues faced by the region, including the movement of people, the protection of culture, and sustainable financing. With climate mobility experienced differently throughout the region, there is not yet agreement on the level of ambition or priorities for the Regional Framework.

8. s9(2)(g)(i)

#### Next steps

9. Negotiations have now moved into existing PIF processes with the latest draft considered at the Forum Sub-Committee on Regional Security in April. Further work remains in order to have a draft ready for consideration by PIF Foreign Ministers and PIF Leaders in September and November 2023 respectively. We remain actively involved in the Joint Working Group, co-chaired by Fiji and Tuvalu, to help guide this process.

10. Our funding for the Pacific Climate Change Migration and Human Security programme continues to enable technical support to develop and implement the Regional Framework.

### **Action 3: Strengthen international language and frameworks through multilateral action**

11. This item has not been a focus on recent months. Having clarity on regional priorities through the Regional Framework will enable us to advocate for Pacific interests within multilateral settings as opportunities arise and we continue to work on the development of international law as described below.

### **Action 4: Champion progressive development of international law**

#### *Preservation of maritime zones in the face of sea level rise*

12. Aotearoa New Zealand has been active bilaterally in persuading other significant partners to support the approach taken in the Declaration, as the most effective way of addressing the issue. The Declaration has received

s6(a)



endorsements by close to 100 geographically diverse countries, including the membership of the Alliance of Small Island States and the Organisation of African, Caribbean and Pacific states. It is also proving influential in the ILC's work on the topic.

#### *Preserving statehood and protection of persons affected by sea level rise*

13. In July 2022 PIF Leaders directed the region to work together on the complex issues of preserving statehood and protection of persons affected by sea-level rise. An officials level PIF Regional Conference was held in March 2023 to initiate collective legal consideration of these issues and establish a pathway to develop a shared PIF position. You agreed to principles for Aotearoa New Zealand's supportive engagement with this regional work in MFAT's submission of 28 February.

14. The major outcome of the PIF Regional Conference was consensus for officials to develop a regional normative declaration on sea-level rise on preservation of statehood, including relevant elements on the protection of persons, situated in the overarching context of international law. It is envisaged that the draft Declaration will be considered by Forum Foreign Ministers and Leaders in September and November 2023 respectively.

15. PIF will also likely make a submission to the International Law Commission on the same topic by the end of June, with MFAT considering Aotearoa New Zealand also making a short supportive country submission based on relevant publicly available information and policies.

16. Officials will keep you updated as this work develops. It is presently envisaged the Declaration would set out the Region's legal position, grounded on Pacific values, culture, history and lived experience, that statehood will be maintained regardless of the impacts of sea-level rise. MFAT is closely involved in the drafting of the Declaration

#### **Action 5: Commissioning robust research to better understand climate mobility trends and their potential impacts**

17. We have commissioned multi-year research to better understand climate mobility trends and the impact on communities in the Pacific and Aotearoa New Zealand. We have procured three suppliers (University of Auckland, University of Waikato and Mana Pacific Consultants) to undertake this research. While the field research is largely focused on Pacific island countries it also includes a small number of Maori and Pacific communities in New Zealand.

#### Next steps

18. The field research is expected to be completed in late 2023 with the final report due in July 2024. Policy briefs will be developed and workshops and webinars delivered to disseminate research findings and inform policy makers in the Pacific and in Aotearoa New Zealand. We expect these to begin to be available from early July 2023.

#### **Climate mobility report back December 2024**

19. We will report back to Government at the end of 2024 on progress on the Action Plan, advise on a longer term approach to climate mobility and recommend areas for further policy development. This will be informed by:

- Research outcomes;
- Developments in the Pacific (e.g. progress towards a Regional Framework);
- International developments (including in international law); and,

- Engagement with domestic agencies and other key domestic stakeholders. The next report back in February 2024 will advise on our engagement approach.

Released under the Official Information Act





18 August 2022

Minister of Foreign Affairs

For action by 12 September 2022

## Climate Migration Action Plan – August 2022 Progress Update

BRIEFING Overview Submission

PURPOSE Update on progress on the 2018 Climate Migration Action Plan

## Tukunga tūtohua – Recommended referrals

Minister for the Environment	For information by	19 September 2022
Minister of Immigration	For information by	19 September 2022
Minister for Pacific Peoples	For information by	19 September 2022
Minister of Climate Change	For information by	19 September 2022

## Taipitopito whakapā – Contact details

NAME	ROLE	DIVISION	WORK PHONE
Llewellyn Roberts	Divisional Manager	Development (People and Planet)	s9(2)(a)
Ruth Loan	Lead Adviser	Development (People and Planet)	s9(2)(a)

## Mā te Tari Minita e whakakī – Minister's Office to complete

☐ Approved☐ Noted☐ Referred☐ Needs amendment☐ Declined☐ Withdrawn☐ Overtaken by events☐ See Minister's notes**Comments**

## Climate Migration Action Plan – August 2022 Progress Update

### Pito matua – Key points

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- Climate change remains the greatest existential threat facing the Pacific with Pacific Islands Forum (PIF) Leaders recently declaring a climate emergency that “threatens the livelihoods, security and well-being of its people and ecosystems”.
- In 2018 Cabinet agreed that Aotearoa New Zealand adopt early, calibrated and transparent action on climate-change related displacement and migration in the Pacific. This submission responds to the request from Ministers to be regularly updated on progress and reports against the five key actions identified in the Action Plan.
- *Action one: utilise International Development Cooperation (IDC) funding to avert and delay climate-related displacement and prepare for Pacific climate migration* - We are funding Pacific adaptation activities to help people continue to live in their countries, and also support Pacific communities’ preparedness for relocation or migration if it becomes necessary. Specific climate mobility activities include funding work to help Fiji plan for community relocations and to prevent migration-related conflict. While experiencing COVID-19 related delays, these activities remain on track.
- *Action two: facilitate regional dialogue and explore a regional approach* – The Regional Dialogue held in June was a significant milestone towards the development of a Pacific Regional Framework on Climate Mobility. Aotearoa New Zealand remains actively engaged on the Joint Working Group to oversee the development of the Regional Framework and funds technical support for this initiative.
- *Action three: strengthen international language and frameworks through multilateral action* – We have prioritised developing a regional climate mobility approach ahead of multilateral action. Having agreed Pacific priorities will inform our future multilateral engagement.
- *Action four: champion progressive development of international law to protect coastal state rights in respect of maritime zones in the face of sea-level rise* - The ground breaking PIF Leaders “Declaration on Preserving Maritime Zones in the Face of Climate Change-Related Sea-Level-Rise” makes clear the region’s intention to maintain our maritime zones, without reduction. We continue to build international support for the Declaration.
- We are also working with PIF partners to develop a regional approach on the issue of sea-level rise and questions of statehood and the protection of persons. Officials will attend the first Regional Conference on these issues that is planned for September 2022. This work involves complex legal issues and further advice will be provided to Ministers as the scope of this work becomes clearer.
- *Action five: commission robust research* - Research on climate migration trends and impacts will help Aotearoa New Zealand and Pacific Governments to better respond to the challenges of climate mobility. We have faced some delays but are in the process of finalising research contracts. This research will acknowledge the whakapapa links Māori have with Te Moana-nui-a-Kiwa and the Treaty Partnership between Māori and the Crown.

Bernadette Cavanagh  
for Secretary of Foreign Affairs and Trade



## Climate Migration Action Plan – August 2022 Progress Update

Tūtohu – Recommendations

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It is recommended that you:

- |   |   |                 |
|---|---|-----------------|
| 1 | <b>Note</b> the progress made on the 2018 Climate Migration Action Plan.  | <b>Yes / No</b> |
| 2 | <b>Note</b> the work being undertaken: <ul style="list-style-type: none"> <li>• to scale up existing development activities and identify new climate mobility initiatives under Aotearoa New Zealand's increased climate financing commitment;</li> <li>• to support the development of a Pacific Regional Framework on Climate Mobility to be endorsed by PIF Leaders;</li> <li>• to build support for the "Declaration on Preserving Maritime Zones in the Face of Climate Change-Related Sea-Level-Rise";</li> <li>• to contribute to discussions on the consequences of sea-level rise on statehood and the protection of persons within the Pacific Islands Forum; and</li> <li>• to undertake climate mobility research to support evidence-based policy making.</li> </ul> | <b>Yes / No</b> |
| 3 | <b>Refer</b> a copy of this submission to the Minister for the Environment, the Minister of Immigration, the Minister for Pacific Peoples and the Minister of Climate Change.   | <b>Yes / No</b> |

Hon Nanaia Mahuta  
Minister of Foreign Affairs / Minita Take Aorere

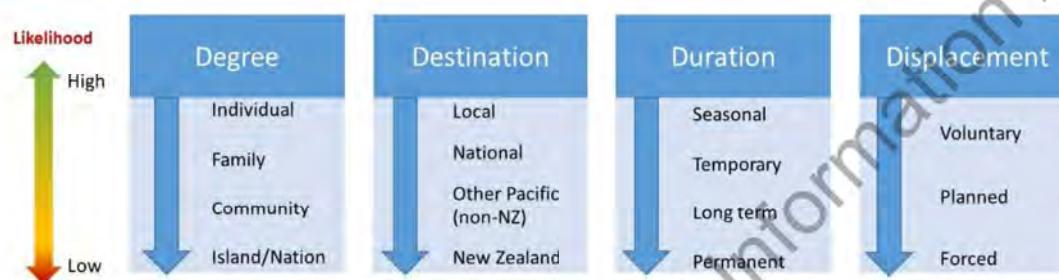
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## Climate Migration Action Plan – August 2022 Progress Update

### Pūrongo – Report

1. Pacific Island countries are some of the most exposed in the world to the effects of climate change and natural disasters. This is already impacting Pacific mobility and migration – whether it is the relocation of communities within a country (e.g. moving villages inland in response to natural hazards such as flooding or sea-level rise), an individual's temporary move to support community resilience (e.g. via labour mobility schemes), permanent migration within the Pacific or further afield (at the individual/family level), or the worst-case future scenario of the relocation of an entire island/nation.

Climate Mobility Scenarios



2. The 2018 Climate Migration Action Plan identified five early actions for Aotearoa New Zealand to respond to the challenges of climate mobility. These are to:
  - 2.1. utilise International Development Cooperation (IDC) funding to avert and delay climate-related displacement and prepare for Pacific climate migration;
  - 2.2. facilitate regional dialogue and explore a regional approach;
  - 2.3. strengthen international language and frameworks through multilateral action;
  - 2.4. champion progressive development of international law to protect coastal state rights in respect of maritime zones in the face of sea level rise; and
  - 2.5. commission robust research.
3. Our work is guided by the “reset to resilience” principles and the core values set out in the Action Plan agreed by Cabinet. These core values include honouring the Pacific’s social and cultural identity, the Pacific’s desire to live in their own countries where possible, Pacific countries’ sovereignty, and encouraging transparency and inclusive dialogue.
4. We have made solid progress under the Action Plan, notably with the PIF Leaders’ ‘Declaration on Preserving Maritime Zones in the Face of Climate Change-related Sea-Level Rise’; and the first negotiations on a Pacific Regional Framework on Climate Mobility.
5. Progress against each of the actions and the key activities are summarised in Appendix A. We also report on these actions below.



## Climate Migration Action Plan – August 2022 Progress Update

### Action 1: Utilise IDC funding to avert and delay climate-related displacement and prepare for Pacific climate migration

6. Addressing climate change and its impacts in the Pacific region requires a multi-sectoral approach. Aotearoa New Zealand provides IDC funding through a range of multilateral, regional and bilateral mechanisms and initiatives to build climate resilience. In the past four years we have directed over NZ\$310 million towards climate adaption activities in the Pacific.
7. The following IDC-funded activities specifically focus on climate mobility:
  - 7.1. **Fiji Relocation Trust Fund** – in December 2019 we pledged NZ\$2 million to support the establishment of the Fiji Relocation Trust Fund. The Fund is expected to be established later this year (subject to Fiji's domestic processes) and will support the planned relocation of Fijian communities affected by climate change. We have committed NZ\$500,000 of that initial pledge to the development of Standard Operating Procedures (SOPs) to guide the Fund's implementation. Having these SOPs in place is one of the steps for the successful operationalisation of the Fund and one of our requirements for the release of the remaining NZ\$1.5 million contribution to the Fund.
  - 7.2. **Building Peace in Communities Affected by Climate Change** – we fund an international NGO that works in three rural districts in Fiji to help prevent and manage conflicts emerging as a result of climate-change related displacement and relocations. The NGO is working with local partners in Solomon Islands to establish similar peace building activities.
  - 7.3. **Pacific Climate Change, Migration and Human Security Programme** – you approved our increased support to this programme earlier this year (not yet publically announced). It works with Pacific governments, NGOs and civil society to strengthen the Pacific's capacity to respond to the challenges of climate mobility. This programme is led by the International Organization for Migration and works with the PIF Secretariat (PIFS), UN agencies and the Platform on Disaster Displacement.
  - 7.4. **Climate mobility research** – please see Action Point 5 below.
8. The COVID-19 pandemic has slowed progress of climate mobility activities. Closed borders and/or national lockdowns have delayed some face to face discussions that are vital for shaping these activities, such as community consultations to pilot Fiji's Planned Relocation Guidelines. Other projects have had to adapt to virtual formats, such as regional and national consultations on climate mobility convened by the International Organization for Migration.

#### What are the next steps?

9. Aotearoa New Zealand's increased climate financing commitment provides opportunities to scale up existing activities and to work with our Pacific partners to invest in new initiatives. We expect that negotiations on a Regional Framework (discussed below) will identify priority areas for future funding.

### Action 2: Facilitate regional dialogue and explore a regional approach

10. Climate mobility is a sensitive issue in the Pacific. It raises issues of loss of culture and identity and can be challenging for both moving and receiving communities. Historical relocation experiences have not always been voluntary or positive.



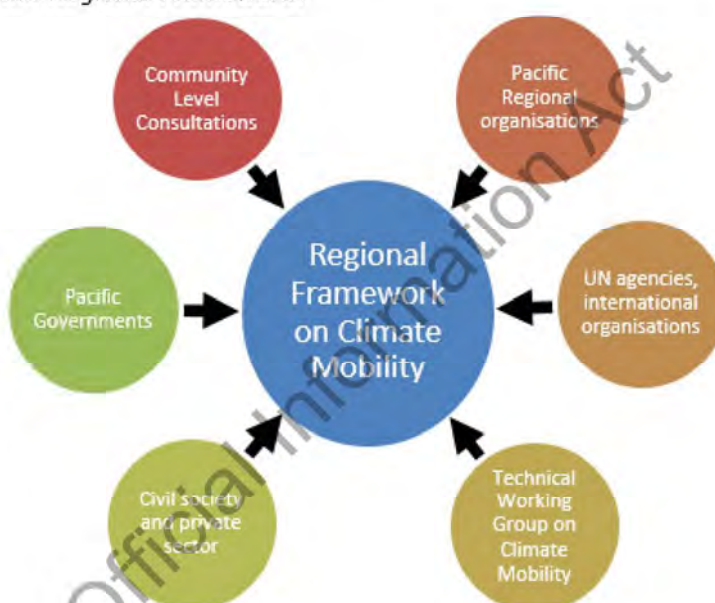
## Climate Migration Action Plan – August 2022 Progress Update

11. However, the dial has shifted from a reluctance to engage on climate mobility discussions to holding a Regional Dialogue with Pacific governments and non-State actors to discuss the first draft in June 2022. This would not have been conceivable five years ago. While acknowledging the desire of Pacific people to remain in place, there is a recognition that planning for climate mobility provides the best option for people to move with dignity where necessary.

12. We are working with PIF partners to develop a Regional Framework that:

- guides Pacific government action on climate mobility, including identifying priority areas for regional action;
- draws on existing experience within the region, including Aotearoa New Zealand's domestic experiences; and
- provides a unified regional position that we can advocate for in international settings.

An inclusive and consultative approach has been adopted for the Regional Framework:



13. The Regional Framework reflects the wide range of complex and challenging climate mobility issues faced by the region,<sup>1</sup> including the movement of people, the protection of culture, and sustainable financing. With climate mobility experienced differently throughout the region, there is not yet agreement on the level of ambition or priorities for the Regional Framework.

### What are the next steps?

14. s9(2)(g)(i)

We remain actively involved in the Joint Working Group, co-chaired by Fiji and Tuvalu, to help guide this process. This includes bringing future negotiations within existing PIF processes and ensuring that the Regional Framework is aligned with existing regional work and the priorities set out in the 2050 Strategy for the Blue Pacific Continent.

15. While the PIFS proposed that the Regional Framework is brought to Forum Leaders for endorsement in August 2023, we expect that more time will be needed to agree the Regional

<sup>1</sup> The fourteen identified core areas currently in the Regional Framework are: staying in place (i.e. adaptation measures); addressing internal and cross-border displacement; evacuations; migration; stranded migrants; planned relocations; protecting culture, cultural heritage and identity; human security and protection; preserving statehood, nationality and associated rights; awareness-raising, participation and inclusion; sustainable financing; loss and damage; evidence, information and monitoring; and international, regional and national cooperation.



## Climate Migration Action Plan – August 2022 Progress Update

Framework. Our funding for the Pacific Climate Change Migration and Human Security programme will enable technical support to develop and implement the Regional Framework.

### Action 3: Strengthen international language and frameworks through multilateral action

16. Work to strengthen international language and frameworks through multilateral action has progressed slowly. COVID-19 travel restrictions have reduced opportunities for in person meetings and we have also prioritised regional action.
17. We have actively engaged with our Pacific partners as initiatives arise, such as participating in the Regional Consultations on the UN Secretary General's High Level Panel on Internal Displacement.

#### What are the next steps?

18. As a member of the Technical Working Group on Human Mobility (convened through the Pacific Resilience Partnership) we work with a broad range of stakeholders to identify and engage on climate mobility initiatives relevant to the Pacific.
19. As noted above, having clarity on regional priorities through the Regional Framework will also enable us to advocate for Pacific interests within multilateral settings.

### Action 4: Champion progressive development of international law to protect coastal state rights in respect of maritime zones in the face of sea level rise

20. The impact of sea-level rise on maritime zones is a priority issue for Aotearoa New Zealand and our PIF partners. Last year PIF Leaders issued the "Declaration on Preserving Maritime Zones in the Face of Climate Change-Related Sea-Level-Rise", which sets out the region's collective position on how the United Nations Convention on the Law of the Sea's rules on maritime zones should apply in the situation of climate change-related sea-level rise.
21. Our focus over the last year has been on maintaining momentum on the issue through promotion of the Declaration, in particular through targeted outreach at key multilateral events, and in bilateral engagements. Overall the Declaration has been well-received, and there is widespread support for the objective of preserving maritime zones. s6(a)

#### What are the next steps?

22. We continue to work closely with PIF partners to build support for the Declaration.
23. Aotearoa New Zealand and the PIF, through the Forum Officials' Committee specialist sub-committee on sea-level rise and International Law, have also begun engaging on the critical issue of statehood and the protection of persons in the face of sea-level rise.
24. The legal questions underlying this new work-stream are difficult and will take time to work through, but need to be answered. For example, in the case of permanent relocation of entire



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Pacific populations, how is sovereignty and the right to self-determination to be accommodated? Similarly, what will the legal status of these States be if they lose their territory? Under existing international law concepts, loss of territory could eventually lead to loss of statehood, and Pacific Island countries are already acutely concerned about this.

25. A planned regional conference in September 2022 will be an opportunity to move towards collective regional action on this complex and novel issue. This work will likely be an important contribution to promoting climate change and natural disaster resilience in the Pacific. Further advice will be provided as the scope of this work becomes clearer.

### Action 5: Commissioning robust research to better understand climate mobility trends and their potential impacts

26. The lack of reliable data on climate mobility in our region impedes our ability, and the ability of our Pacific partners, to develop evidence-based policy. We are commissioning multi-year research to better understand climate mobility trends and the impact on communities in the Pacific and Aotearoa New Zealand.
27. Research will build on existing literature and seek to fill current knowledge and data gaps. Examples include: a qualitative study on how multi-generational (and often trans-national) family units experience climate mobility; and quantitative analysis of large data sets to inform projections of population and asset risk exposure to climate change across time.

#### What are the next steps?

28. This research is foundational to understanding the scale and potential impact of Pacific climate mobility. We have experienced some delays in commissioning this research due to COVID-19 and procurement delays (e.g. extending the process for suppliers affected by the Tongan eruption). We are close to finalising contracts with our preferred suppliers that will see ongoing research until mid-2024.
29. Mindful that officials will need to draw on this research to consider Aotearoa New Zealand's long term approach to Pacific climate mobility, we are working with the researchers to mitigate the impact of these delays. We want to ensure that the research informs ongoing policy discussions, rather than focusing on an end report. A communications plan will be developed to ensure there are 'early harvest' opportunities to inform policy makers in the Pacific and in Aotearoa New Zealand, such as publishing short policy briefs and holding workshops and webinars to disseminate research findings.

#### Cross-cutting issues

##### Domestic consultations will inform our climate mobility response

30. We acknowledge the whakapapa links Māori have with Te Moana-nui-a-Kiwa and the interest in this work from Pasifika communities in Aotearoa New Zealand. For example, the Climate Migration Action Plan is referenced in the Communities Chapter of New Zealand's National Adaptation Plan, which was consulted widely earlier this year.

31. s9(2)(g)(i)



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**Domestic preparedness considerations for a mass relocation event will be shaped by work under the Action Plan**

32. We provided you advice in February on domestic preparedness for a large-scale relocation event from the Pacific to Aotearoa New Zealand. s6(a), s9(2)(g)(i)

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## Appendix – Summary of Progress against the Climate Migration Action Plan

Action	Key activities	Level of NZ influence/control	Assessment
1 Use aid initiatives to avert and delay climate-related displacement and prepare for Pacific climate migration	<ul style="list-style-type: none"> <li>Supporting a peace-building NGO to help communities in Fiji prevent and manage conflicts that may result from climate-change related displacement.</li> <li>Supporting the establishment of the Fiji Relocation Trust Fund. This includes a partnership with the German Development Agency to support the Government of Fiji in developing standard operating procedures for the planned relocation of communities in Fiji.</li> <li>Funding a consortium of UN agencies, the PIFS and the Platform on Disaster Displacement to assist Pacific Governments to develop national policies and support NGO and civil society engagement on climate mobility issues.</li> </ul>	Moderate/High	Delayed, but broadly on track
2 Facilitate regional dialogue and explore a regional instrument on Pacific climate migration through the Pacific Islands Forum	<ul style="list-style-type: none"> <li>Active support for the development of a Regional Framework.</li> <li>Member of the Joint Working Group, Co-Chaired by Fiji and Tuvalu to oversee the development of a draft Regional Framework, including active participation in regional consultations.</li> <li>Funding a consortium of UN agencies, the PIFS and the Platform on Disaster Displacement to provide technical support on the Regional Framework.</li> </ul>	Moderate	On track
3 Strengthen international language and frameworks through multilateral action	<ul style="list-style-type: none"> <li>Participation in the Executive Committee of the Warsaw International Mechanism for Loss and Damage (established under the UN Framework Convention on Climate Change).</li> <li>Regional engagement with the Geneva-based Platform on Disaster Displacement and UN agencies.</li> <li>Participation in the Technical Working Group on Human Mobility.</li> <li>Participation in other regional dialogues and consultations, including Pacific Regional Consultations on the UN Secretary General's High Level Panel on Internal Displacement.</li> </ul>	Low	Slow progress
4 Champion progressive development of international law to protect coastal state rights in respect of maritime zones in the face of sea-level rise	<ul style="list-style-type: none"> <li>Continuing to advocate for the "Declaration on Preserving Maritime Zones in the Face of Climate Change-Related Sea-Level Rise" at bilateral and multilateral fora.</li> <li>Working with the Pacific, including making a submission to the International Law Commission on Aotearoa New Zealand's state practice in line with the Declaration; contributing to PIF submissions and statements; and planned attendance at Sea Level rise and International Law conference in September 2022.</li> </ul>	Moderate/High	Largely completed, with further opportunities identified
5 Commission robust research to better understand future climate migration trends and the social and economic impacts on New Zealand and Pacific Island countries	<ul style="list-style-type: none"> <li>Scoping study completed in 2020 to establish research state of play.</li> <li>Currently contracting with preferred suppliers to deliver a multi-year research programme.</li> </ul>	High	Delayed, but close to contracting



## Pacific Regional Framework on Climate Mobility

### Intervention

Climate change remains the single greatest threat to the livelihoods, security and well-being of the peoples of the Pacific. We know that climate change is undermining the conditions needed for some of our Pacific communities to continue to live where they are. Relocation is already happening within some countries.

Walking side by side with our Pacific partners means addressing challenges together, and that includes the challenges of climate mobility.

Aotearoa New Zealand is very supportive of the Pacific Regional Framework as a guide for Pacific government action on climate mobility. We are grateful to the Chairs of the Joint Working Group, colleagues from Fiji and Tuvalu, for all their hard work in facilitating this final version for our endorsement today.

s9(2)(j)

### New Zealand's position

- New Zealand strongly supports the endorsement of the Pacific Regional Climate Mobility Framework.

### Handling advice

- It is preferable but not essential that you make a brief intervention for this item, following other delegations s6(b)(i)  
New Zealand was one of the active participants in the Joint Working Group which developed the Framework, so it would be in keeping with that approach that we respond positively in the meeting.

### Background

1. Climate change projections, even those within 1.5 degrees of global warming, show that Pacific peoples and communities face intensified drivers for migration, displacement and planned relocation. Aotearoa New Zealand has been supporting an inclusive regional approach to address the challenges of climate mobility in the Pacific.
2. A Joint Working Group, Co-Chaired by Fiji and Tuvalu, was established in 2021 to oversee the drafting of the Regional Framework. It consists of Forum Members (including New Zealand), regional Pacific agencies, UN agencies and inter-governmental agencies. A final draft was endorsed by PIF Foreign Ministers in September.

3. This final draft Framework fits its intended purpose as a high level guide to Pacific governments for addressing the complex and wide ranging issue of climate mobility. It strikes a good balance of being ambitious and laying out a shared baseline, without committing countries to domestic legislative or policy change s9(2)(g)(i).  
As a Framework, this document is non-binding.
4. The Framework considers the challenges and potential solutions across a range of types of climate mobility: staying in place ('immobility'); planned relocation; migration and displacement. It includes a set of four guiding principles, as well as clear indication that the Framework will be implemented in line with the 2050 Strategy for the Blue Pacific Continent.
5. Officials' engagement in the drafting focused on:
  - s9(2)(g)(i)
  - s9(2)(g)(i)
  - Ensuring provisions of the Framework did not extend beyond what is actually agreed by international law or accepted practice (e.g. the specific inclusion and defining of the principle of non-refoulement in the context of climate change which is not yet agreed in international law).
  - Ensuring the scope remained focused on *climate* migration (i.e. that it did not expand into areas beyond *climate change induced mobility*, such as labour mobility in the broader context).
  - Seeking clarity on implementation of the Framework – who will implement what, when, and with what resourcing?
6. Through the various iterations of the draft Framework we were able to resolve most of these specific issues. s9(2)(g)(i)
7. The key outstanding issue is the implementation of the Framework. s9(2)(g)(i)

However, we anticipate it will be aligned with the 2050 Strategy Implementation Plan, also up for consideration by leaders this week.

DEVPP, October 2023



## Media lines

### ***PIF 2023 Declaration on the Continuity of Statehood and the Protection of Persons in the Face of Climate Change-related Sea-Level Rise AND PIF 2023 Pacific Regional Climate Mobility Framework***

#### **DECLARATION**

- New Zealand stands with our Pacific partners in responding to climate change, which is the single greatest threat to the Pacific.
- As part of a broader effort to respond to this threat, New Zealand is working with Pacific partners to protect states' sovereign rights and entitlements under international law in the context of climate induced sea-level rise.
- New Zealand is proud of the 2023 Pacific Islands Forum Leaders *Declaration on the Continuity of Statehood and the Protection of Persons in the Face of Climate Change-related Sea-Level Rise*.
- The Declaration sets out the Forum position that Members' statehood, sovereignty and related rights will continue notwithstanding sea-level rise. It also provides for regional cooperation on protection of persons affected by sea-level rise.
- The Declaration ensures that a Pacific perspective on these issues is prominent internationally, and calls for international cooperation.
- This call follows on from the international community's endorsement of the 2021 Pacific Islands Forum Leaders *Declaration on Preserving Maritime Zones in the Face of Climate Change-related Sea-Level Rise*.

#### **FRAMEWORK** (*Adapted from intervention points drafted for PIF leaders*)

- Climate change is undermining the conditions needed for some of our Pacific communities to continue to live where they are. Relocation is already happening within some countries.
- Walking side by side with our Pacific partners means addressing challenges together, and that includes the challenges of climate mobility.
- New Zealand is very supportive of the Pacific Regional Framework as a guide for Pacific government action on climate mobility.

s6(a), s9(2)(f)(iv)

s6(a), s9(2)(f)(iv)

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