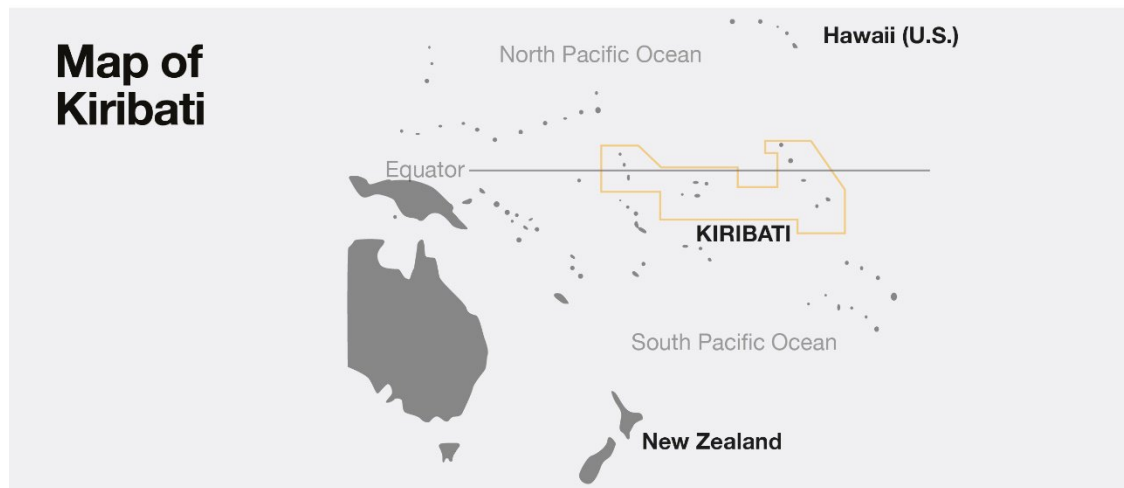


An Assessment on “Migration with Dignity” in the Pacific (Kiribati & New Zealand)

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(Ives, 2016)

Abstract:

*Even though scientist and scholars recognised climate related displacement, there is a huge gap in legal and political protection to this category of cross-border movement at both international and regional levels. Therefore, the UN Secretary General's Agenda for Humanity calls on states to adopt an appropriate international framework, **national legislation and regional cooperation frameworks by 2025** to ensure countries in disaster-prone regions are prepared to receive and protect those displaced across borders without the refugee status (UN General Assembly, 2016). Meanwhile, the Pacific small island states (SIS) are undoubtedly vulnerable and already jeopardized by the slow-onset and sudden onset effects of climate change. This scenario has made the Kiribati Government adopt a climate change adaptation framework, which promotes reallocation as a medium- long-term planed strategy through couple of national schemes. This context has already generated jurisprudence in New Zealand's and Australia's courts, where there have been unsuccessful claims from Pacific islanders, who asked for refugee status due to climate change related displacement. Although, no one has yet been granted protection on these grounds, New Zealand's jurisprudence provides the most comprehensive analysis by decision-makers to date about the scope and content of protection for people escaping the impacts of climate change and disasters (McAdam, 2015). The country also holds migration schemes specific destined to Pacific islanders (i.e. Pacific Access Category). Hence, facing this 21st century regional challenge, this paper, firstly, analyses the scenario of slow onset climate impacts in the Pacific islands and considers reallocation as a response to them. Secondly, it approaches the specific threats faced by Kiribati, followed by an assessment of Kiribati's and New Zealand's domestic migration frameworks. In conclusion, it suggests to Kiribati's and*

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New Zealand's Governments some improvements and new initiatives that can be made in these policies towards building bilateral cooperation on climate displacement in the next decade.

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Abbreviations

- AKNI: Australia-Kiribati Nursing Initiative
- IPCC: International Panel on Climate Change
- NFCCCCA: National Framework for Climate Change and Climate Change Adaptation
- NLMP: National Labour Migration Policy
- PAC: Pacific Access Category
- RSE: Recognised Seasonal Employer (scheme)
- SIDS: Small islands developing states
- UN: United Nations

1. Introduction:

In 1990 the intergovernmental Panel on Climate Change (IPCC), acknowledged that the gravest effects of climate change may be those on human migration (Houghton, Jenkins & Ephraums, 1990). Small islands developing states (SIDS) are in the front-line of the anthropogenic climate change impact. Primarily the Pacific low-lying atolls, with no soil, surface water, low terrestrial biodiversity and poor groundwater systems, like Kiribati, Tuvalu, Tokelau and Marshall Islands, will increasingly lose their capability to sustain human life due to slow onset events, before submergence, itself takes place (McAdam, 2009). This vulnerability is illustrated in Figure 01. Moreover, this situation exacerbates social pressures, such as population density, access to food and water, poverty, poor-sanitation and health systems in the islands nations.

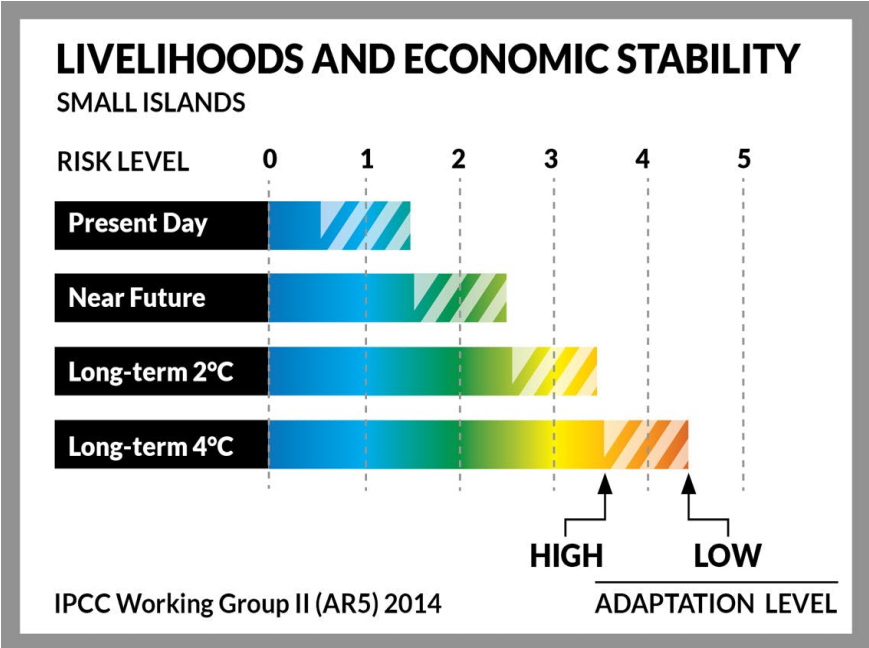


Fig 1: Livelihoods and Economic Stability (IPCC Working Group II (AR5) in Schaeffer, 2017)

Consequently, these slow onset climate related effects are potential threats to human-security and human rights (life, health, property, access to food and water) of the Pacific islanders, who may consider cross-border movement as a survival strategy once facing these adversities. To illustrate this displacement in numbers is a challenging task; nevertheless, Campbell (2010) estimated that approximately 65,000 to 1.7 million individuals in the Region would be displaced by 2050. Moreover, migration as a remedy rather than a precatory measure causes increasing stress within a region and among neighbouring nations, as this international displacement trends to occur in regional levels.

Hence, in this context, reallocation or migration should be considered as a medium-long-term inevitable adaptation policy for both the country of origin and the destination country, so that they both can profit from this process. Furthermore, building regional cooperation is essential to cope with climate challenges likewise. Following these principles, this paper will have as its case study the existing labour-migration and humanitarian schemes of Kiribati and the New Zealand, which could respond to this Pacific issue. Its purpose is to suggest the Kiribati's and New Zealand's Governments how these policies can improve, in order to enhance bilateral cooperation and guarantee a planned climate displacement in the region by 2025 (following the 2016 UN Secretary General's Agenda for Humanity's timeframe).

2 - Case study: Kiribati and New Zealand scenarios:

Simon and Webber (2014), quoting Woodroffe (2008), stressed that two-thirds of the Republic of Kiribati's land is less than 2m above mean sea level (see Figure 02). Moreover, to Kiribatis' particular concern, the episodic nature of El-Nino and La-Nina events and the decadal scale of variability in their frequency impede the detection of long-scale trends in shorelines and water tables.

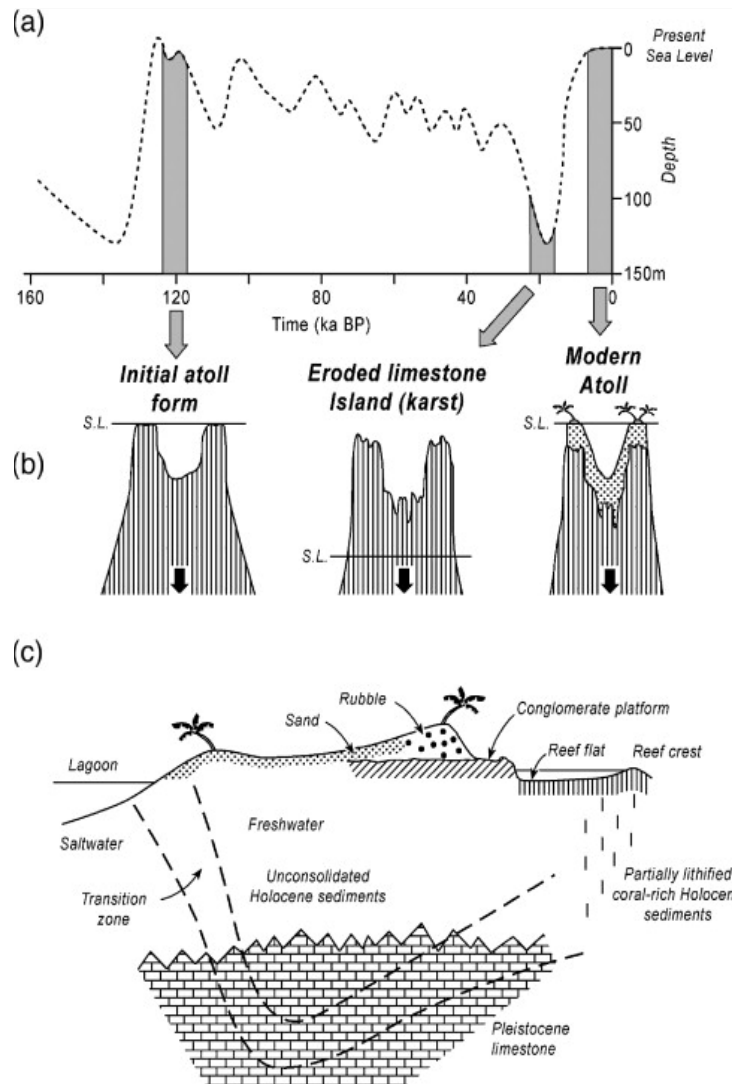


Fig. 2: Illustration of the Quaternary formation of the atoll and its vulnerability to sea level rise and related slow onset events. (Woodroffe, 2008)

Given the geographical dimensions of this Pacific atoll, it is evident that in the coming decades its population will be more vulnerable to the contamination of its freshwater supplies and crops by salt water, as well as human and industrial waste (Yamoto & Miguel, 2010). Furthermore, according to Russel (2009), extreme floods and contamination of water supplies can lead to an increase in the incidence of diseases such as malaria and dengue fever.

Nonetheless, coral reefs are bleaching, as the temperature in the ocean rises and its pH becomes more acid, which, consequently, affects the islands' biodiversity and fish supplies, leading to food insecurity and a rise in social-economic pressures. For instance, Nurse et al (2014) and Storey: Hunter (2010) noted pre-existing issues of severe overcrowding, such as , proliferation of informal housing and unplanned settlements, inadequate water supply, poor sanitation and solid waste disposal, pollution, and conflict over land ownership in the southern part of Tarawa atoll, main I-Kiribati island.

These ongoing social issues appear to be the consequences of unplanned internal displacements of the SIDS's population in search for more inhabitable areas in their own

country before a major decision to go abroad is made. Simultaneously, the ongoing short-term adaptation measures are widely open to criticism. As an example, sea walls are controversial in Kiribati due to neither their adverse effects on beach erosion, properly reducing wave energy, nor explicitly protecting against land loss from sea-level rise (Simon and Webber, 2014).

Hence, within this context, Kiribati's President Anote Tong has recognised climate change and sea level rise as reality threat for his people, whereas the foreign secretary, Tessie Lambourne, has defined I-Kiribatis as proud people, who would rather relocate on merit and with dignity (Georing, 2009). Following these statements, the "Migration with Dignity" concept, has been formulated. In other words, the country's leadership is improving the levels of education and vocational qualification with high subsidies and scholarships targeting their youth population to meet the prospective receiving countries (i.e. New Zealand and Australia) levels of skilled- migration criteria.

However, for this I-Kiribati measures to work there is a need for regional cooperation from its developed neighbours. This necessity leads to the second object of this paper, which is the role-played by New Zealand as a prospective destination country. New Zealand, unlike Australia, possesses a humanitarian migration schemes specifically designated to Pacific islands (Kiribati, Tuvalu and Tonga). These schemes cannot be mistakenly seen as a climate-risk-induced displacement ones (McAdam, 2009), rather they consist of skilled-labour and seasonal migration-ones. Nonetheless, this paper suggests that, with some improvements, they can be the steppingstones to cooperation between the two countries towards building a reallocation network.

Foremost, the crucial element of political-will has been signed more than once. Firstly, the nation's (New Zealand) newly elected government announced that it is considering creating a new visa category for Pacific Islanders displaced by climate change (Mrkusic, 2017). Secondly, the Climate Change Minister James Shaw and Pacific Peoples Minister Aupito Su'a William Sio have given strong statements about supporting climate migration from Kiribati and Tuvalu by signalled that innovation will be needed (Ross, 2017).

3-Domestic schemes assessment:

3.1- Kiribati's "Migration with Dignity"

The President of the Republic of Kiribati acknowledges that the science is clear - climate change threatens the long-term survival of Kiribati in a way that relocation of its population may be inevitable". (Office of the President of the Republic of Kiribati, n.d.) Therefore, it is among his responsibilities to prepare the community for eventual migration in circumstances that permit them to migrate with dignity. This acknowledgment has become a relocation strategy of the Kiribati Government, which consists of two key components. Firstly, opportunities must be created to enable the migration of those who wish to do so now and in the coming years. Secondly, the Kiribati's qualifications level will be raised to those available in countries such as Australia and New Zealand.

In policy terms, this has been formally recognised in the Kiribati National Framework for Climate Change and Climate Change Adaptation (hereafter called KNFCCCA), according to which:

"2.4- population and resettlement:

Below are some key needs identified for implementation in the medium and long term...

1) **Strengthen human resources development:** Upgrading the skills of present and future workers, both male and female, to increase their contribution to economic development and **match skills to employment** opportunities.

2) Facilitate **overseas employment opportunities** and **permanent emigration**. **Negotiate overseas permanent migration and short-term employment opportunities**, improve

standards of basic education, literacy and language skills and increase opportunities for Technical and Vocational Training.”
(Office of Te Beretitenti, 2013, p. 22)

Another scheme is the National Labour Migration Plan (NLMP), which states that:
“The domestic demographic and labour market situation:

- The importance of education and skills training for I-Kiribati has been recognised in the Government’s policies on education, Technical and Vocational Education Training, climate change, and youth. Apart from enhancing Kiribati’s competitiveness in the global market, developing skills of the labour force will improve productivity and domestic employment outcomes;

(...)

Climate change threats:

- The National Framework for Climate Change and Climate Change Adaptation (Office of Te Beretitenti, 2013) refers to the facilitation of overseas employment and permanent migration in order to ensure that the population of Kiribati remain at a level that facilitates the country’s climate change adaptation effort.

(...)

The Policy promotes continued social dialogue between government stakeholders, social partners, NGOs, training institutions, and churches within Kiribati, as well as bilateral, regional and international cooperation through labour agreements, regular dialogue, and regional and international consultative fora, with the aim of strengthening Kiribati’s existing labour migration arrangements and developing new opportunities. Such cooperation will be founded within a rights-based framework that places protection of the rights of migrant workers at the forefront of negotiations.”

(Government of Kiribati, 2015, p. 18)

The government is taking a programmatic medium-long term policy, as it plans displacement measures in order to avoid near future forced-illegal and unplanned migration, which increases migrants` vulnerability, human rights violation and causes disagreement in both international and regional levels. Moreover, in McAdam`s (2011, p. 20) words: ``the “merits-based migration” to neighbouring countries has three solid fundamentals: i) the individual desire to move, willingness to migrate (following a self- determination right): ii) pre-emptive and gradual rather than a response to sudden catastrophe and iii) the history of movements within the region``.

This framework is also likely to assist in establishing diaspora communities of I-Kiribati, who will be able to support other migrants in long- term. Simultaneously, it will benefit those who remain by lifting the levels of remittances. On the other hand, the potential migrant must be in the position to provide skills that are needed in the receiving country. This will make qualified I-Kiribati more attractive, as migrants, as well as improve the standards of services available locally. Consequently, this creates a `win- win` situation, where both Kiribati and the receiving country profit.

Nevertheless, this strategy has trade-offs that must be noted. Firstly, it might not be seen as a universal/equitable measure, as it leaves aside those with poor or no literacy skills or with largely subsistence livelihoods, who are the ones most vulnerable to climate change adversities. Secondly, some may say that by stimulating more permanent than seasonal skilled-migration it generates brain-drain rather than education improvement in Kiribati. Thirdly, it strongly relies upon the goodwill of the receiving countries and bilateral cooperation, which lead to the next theme.

3.2- New Zealand migration schemes:

New Zealand has long had a special social, political and cultural ties with its neighbouring island states, which, consequently, led the former to develop a concessionary citizenship or permanent residence migration scheme for Pacific island nationals with the intent of promoting economic development in the region (McAdam, 2011). This humanitarian visa was established in 2002 and entitled Pacific Access Category (PAC), which is specifically targeted to citizens of Kiribati, Tuvalu and Tonga.

According to PAC, apart from the nationality criteria, to qualify as an applicant the person must be:

i) aged between 18 and 45 at the registration closing date; ii) have an acceptable offer of employment in New Zealand for himself herself or his/her partner. iii) meet a minimum level of English language ability; iv) meet a minimum level of income (if they have dependent children); v) meet health and character requirements vi) if a citizen of Kiribati, must either be in Kiribati or Fiji or lawfully in New Zealand when they apply for residence under the PAC, also have been born in Kiribati or born overseas to a Kiribati citizen who was born in Kiribati.

Furthermore, this scheme provides places for 75 successful applicants from Kiribati every year on ballot basis. Statistics show that, since its implementation in July 2002, an average of 694 applications, have been made by people from Kiribati each year, with 1667 being lodged from this SIDS in 2007 (McAdam, 2011). Certainly, PAC consists of a well-established labour migration programme that can be applied to climate displacement once it is directed to vulnerable nations and is a way to grant permanent residence.

However, a gradual increase in the number of available places would be desirable in the coming decades to cope with the demands, i.e. population growth in Kiribati and increasing environmental stress. Foremost, an outstanding trade-off of PAC is its unviability for those who are not qualified for a job nor have the language skills required and to whom climate adversities will be most severe. Nevertheless, there is little optimism of any improvement in that aspect, since it would involve major costs for New Zealand to settle these unskilled migrants within its society on a permanent basis.

Therefore, it is necessary to consider a second approach that would be to increase the temporary migration scheme under the existing Recognized Seasonal Employer Scheme (RSE). Introduced in 2007, the RSE relates to specific work in the horticulture and viticulture sectors, with preference given to Pacific islands nationals and a nine-month work permit to I-Kiribati. Moreover, this category gives the possibility to return in case that new recruitment occurs. It is a traditional way to solve shortages of seasonal work and boost productivity in the country of destination, while enhancing economic development and regional cooperation at the regional level (Farqhar, 2014).

Undoubtedly, this second scheme approaches a wider group than the first one and guarantees improvement of skills to temporary migrants resulting in an increase of human capital rather than a loss for the country of origin. Foremost, it provides seasonal migrants the opportunity to engage in networking with prospective employers for a forthcoming PAC scheme, as well as gaining background in New Zealand's culture in case of prospective permanent settlement. Yet, again also in this category, improvements are desirable, such as, the increase in the number of places available and, primarily, the endorsement of networks and links between the RSE and the PAC category.

4 - Recommendations

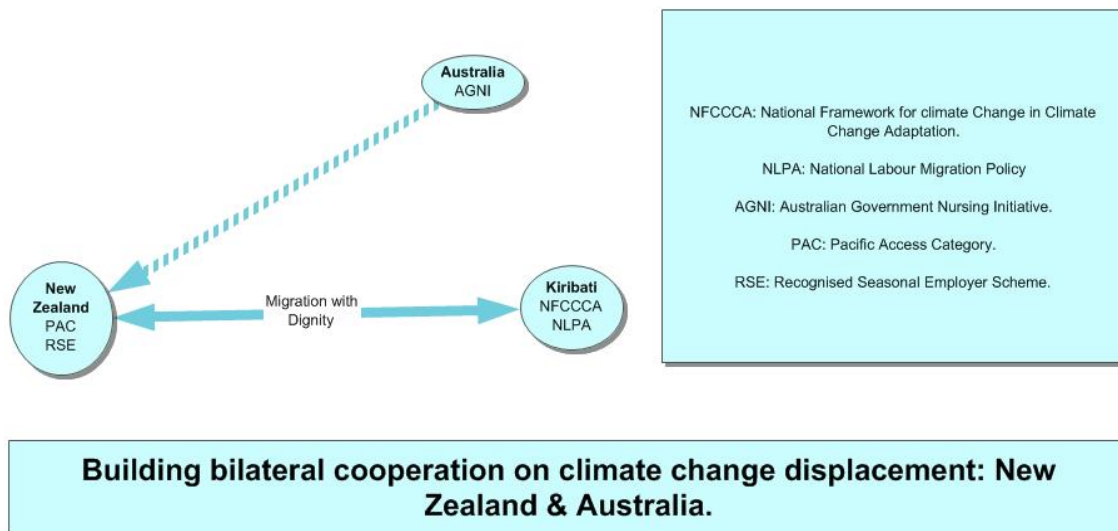


Fig. 3: A summary of this policy paper's recommendation for the enforcement cooperation on planned relocation between both countries

4.1-For Kiribati:

- i) Diversify schemes: by encouraging the temporary return of permanent emigrants to counter a significant brain-drain, also promoting temporary migration of communities not currently receiving remittance. Thus, achieving a more equitable basis on its schemes.
- ii) Enhance temporary migration of less qualified people by promoting seasonal work experience to its nationals in shortage sectors in New Zealand.
- iii) Do not restrict the efforts of short-term adaptive measures, such as building sea-walls, investing in alternative water supplies and salt-resilient crops, so that those who remain in the country can adapt to climate impacts.
- iv) Deeply engage into regional and bilateral diplomacy to strength migration schemes cooperation with its neighbouring countries (New Zealand and Australia).

4.2-For New Zealand:

- i) Positive obligation to ensure the settlement of migrants, i.e. extra support on an individual basis (i.e. jobs seeking, finding houses, language skills), in order to avoid further social pressure, segregation and promotion of a better adaptation of migrants to their new culture in a way they can assimilate and integrate into the local society.
- ii) Enhance temporary migration schemes for less qualified migrants under the RSE category to give opportunities of skills development on an equitable basis to islanders and promote a general increase of human capital in their country of origin.
- iii) Encourage remittance by i.e. cutting fees to reduce the cost for transfer, in a way that those left in the SIDCS have financial support to adapt to climate change effects.
- iv) Expansion of permanent pre-existing PAC immigration framework by promoting a gradual increase in the places available.
- v) Adoption of labour training migration program by training migrants in skilled positions in shortage in the country. For instance, New Zealand could import measures such as the Australian Government Model- Kiribati Australia Nursing Initiative, which is designed to address climate change imperatives, rapid population growth, youth unemployment and diversity of remittance in Kiribati by awarding scholarships to its nationals for training in Queensland (Farqhar, 2014). According to Immigration New Zealand (2017), the country could adopt training initiatives in areas like forestry and agriculture, health, engineering, trade, construction and education sectors to respond to its skilled shortage list. Foremost, it would both endorse Kiribati sustainable development and the "migration with dignity" scheme.

Conclusion

Ultimately, this policy paper acknowledges that climate change's slow-onset events, i.e. sea-level-rise, require greater emphasis on the "positive obligations" of states to plan and take measures regarding displacement, which is illustrated in Kiribati migration with dignity concept and related frameworks (NLMP, KNFCCCA). Nonetheless, the effectiveness of the further strictly relies upon the willingness of its neighbours, i.e. New Zealand, to receive its prospective I-Kiribati-migrants through an improvement of the bilateral cooperation between both Pacific nations in a win-win relationship. Once there are existing domestic migration schemes in both nations, as well as a noticeable willingness to cooperate and plan climate reallocation, this paper suggests Kiribati and New Zealand need to implement a set of improvements in their migration policies, by 2025, in order to strength that cooperation and guarantee human rights in the face of climate adversities in the Pacific level.

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