

# Climate Bill 2019

The primary purpose of the Bill is to implement Fiji's international commitments and obligations to reduce its carbon dioxide and other greenhouse gas emissions.

The Bill is both extraordinary and wide ranging because among other things, the Bill declares a climate emergency, creates new government bodies tasked with meeting emission targets, creates new criminal offences, and paves the way for regular review processes for existing policies and new policies to address climate related issues or to reduce/adapt to the impacts of climate change. These new climate change policies include an Oceans Policy for Fiji and a 10-year moratorium on seabed mining.

By putting in place a framework to deal with climate change and its impacts in a coherent way the Bill has wide-ranging implications. For instance, it lays the foundation for carbon pricing and trading mechanisms to be introduced in the future. The Bill requires the disclosure by companies and state-owned entities of their exposure to climate risks and the measures they are taking through investment decisions to reduce them. It consolidates previous policy announcements on plastics and marine protection.

Further, the Bill also introduces innovative climate litigation, adaptation and resilience measures and includes principles and processes related to how those most affected by climate change should be relocated (climate displacement for at risk communities).

Here is a summary of the significant objectives:

- The long-term national goal of reducing emissions to net-zero by 2050 and determining Fiji's response to the climate emergency
- Establishing the necessary institutional and governance structures to implement the legislation
- Building Fiji's resilience to climate change and ability to respond to climate change, including a healthy ocean, while providing for those most at risk
- Safeguarding Fiji's national security and sovereignty particularly in relation to the possibility of sea level rise
- Developing national policies to tackle various responses or approaches to implement the legislation by providing incentives to reduce emissions, promote sustainable development, move towards net-zero emissions, or adapt to the effects of climate change
- Requiring and promoting government and private sector decision making that takes into account climate change issues and emissions
- Promote better decision making via improved transparency relating to the amount and sources of emissions and who/which communities are most vulnerable to the effects of climate change



- Requiring companies, financial institutions and State entities to disclose climate change risk and prepare for those risks and opportunities
- Develop a transparent framework for reporting, monitoring and verifying sources of emissions and “sinks” (natural stores) to reduce the release of emissions
- Developing the enabling environment to support Fiji’s access to international carbon markets for the trade of carbon rights
- Securing sufficient finance to implement the Act.

As well as some of the **principles** by which the legislation is in accordance with and ensures that implementation is appropriate and suitable to the Fiji Context.

- A climate emergency is faced by Fiji and the rest of the planet meaning that all nations should be transitioning towards net zero emissions
- Fiji’s Constitutional rights and freedoms as guaranteed by Fiji’s Constitution 2013
- The protection and enhancement of Fiji’s environment
- The precautionary principle, meaning that a lack of scientific certainty should not be an excuse to proceed with a development activity
- The United Nations Sustainable Development Goals
- Gender equality - and women’s empowerment - participation, access to services, and in decision-making
- In recognition of ownership of iTaukei Lands and Rotuman lands and cultures
- In recognition of the importance of healthy oceans for a healthy climate including the importance to reduce pollution of the ocean from waste and plastics.

The Climate Change Bill is reviewed in greater detail in this article - <http://www.sas.com.fj/ocean-law-bulletins/fijis-proposed-climate-change-law-is-extraordinary-wide-ranging-and-open-for-consultation>