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# Kiribati: Self-Determination in the Climate-Colonial Nexus

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## Abstract

It is no coincidence that frequently the countries most vulnerable to climate change inundation are former colonies. The Republic of Kiribati epitomises the climate-colonial nexus: a low-lying island state with a history of British colonial exploitation exacerbating its present (and future) climate vulnerabilities. In actively tracing the colonial power structures and recognising the existence of colonial legacies in the present, the decolonisation of human rights becomes a precondition for an appropriate and just response to climate change. Through connecting colonialism, climate change and human rights, this study focuses on the decolonisation of the right to self-determination and its socio-spatial fulfilment. Using the example of Kiribati, this timely study aims to initiate an intersectional approach to climate justice through understanding climate vulnerability as connected to historical systems of oppression, and centralising the self-determination of the climate(-colonial) vulnerable.

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*No community with a sense of justice, compassion or respect for basic human rights should accept the current pattern of adaptation. Leaving the world's poor to sink or swim with their own meagre resources in the face of the threat posed by climate change is morally wrong. Unfortunately . . . this is precisely what is happening. We are drifting into a world of "adaptation apartheid."*

—Cape Town Archbishop Emeritus, Desmond Tutu (2008)

## Abbreviations

**COP26:** 26th Conference of the Parties (2021 United Nations Climate Change Conference)

**COP27:** 27th Conference of the Parties (2022 United Nations Climate Change Conference)

**COP28:** 28th Conference of the Parties (2023 United Nations Climate Change Conference)

**HRC:** Human Rights Council

**ICCPR:** International Covenant on Civil and Political Rights

**ICESCR:** International Covenant on Economic Social and Cultural Rights

**IPCC:** Intergovernmental Panel on Climate Change

**ILO:** International Labour Organisation

**KAP:** Kiribati Adaptation Project

**KJIP:** Kiribati Joint Implementation Plan

**NDC:** Nationally Determined Contributions

**OHCHR:** Office of the United Nations High Commissioner for Human Rights

**SIDS:** Small Island Developing State

**SPREP:** South Pacific Regional Environment Programme

**UN:** United Nations

**UNFCCC:** United Nations Framework Convention on Climate Change

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## Introduction

It is no coincidence that frequently the countries most vulnerable to climate change inundation are former colonies. This direct relationship between climate change and colonialism is increasingly recognised across different disciplinary fields. Crucially, the Intergovernmental Panel on Climate Change's (IPCC) Sixth Report (2022) decisively marked colonialism as an historical and ongoing contributor to climate vulnerability and driver of the climate crisis.<sup>1</sup> Acknowledging such historical impacts in the present, President Taneti Maamau of Kiribati spoke to the United Nations General Assembly (2022) of the 'neo-colonial thinking that does not take into account our needs, our priorities and our national interests. This is a system of global thinking that remains steeped with legacies of environmental destruction which our people have now inherited'.<sup>2</sup> Moreover, at the closing of COP26 in 2021, Rehman proclaimed '[y]ou have turned your backs on the poorest who face a crisis of COVID, economic and climate apartheid because of the actions of the richest'<sup>3</sup>, with the phrase 'climate apartheid' echoing an earlier speech from Archbishop Desmond Tutu (2008) on 'adaptation apartheid': 'rich countries can use their vast financial and technological resources to protect themselves against climate change, at least in the short term'.<sup>4</sup> Both physical and conceptual legacies are identified, but all are unified in their identification of colonialist structures playing a direct role in climate vulnerability.

As a response, this study aims to initiate an intersectional approach to climate justice through understanding climate vulnerability as connected to historical systems of oppression. It seeks to unpack

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<sup>1</sup> Intergovernmental Panel on Climate Change (IPCC), *Climate Change 2022: Impacts, Adaptation and Vulnerability. Contribution of Working Group II to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change*, eds. by H.-O. Pörtner, D.C. Roberts, M. Tignor, E.S. Poloczanska, K. Mintenbeck, A. Alegria, M. Craig, S. Langsdorf, S. Löschke, V. Möller, A. Okem, B. Rama (Cambridge: Cambridge University Press, 2022).

<sup>2</sup> Taneti Maamau, 'Statement By His Excellency Taneti Maamau Beretitenti of the Republic of Kiribati: The General Debate of the 77th Session of the United Nations General Assembly Thursday, 22nd September 2022' (2022) <[https://estatemnts.unmeetings.org/estatemnts/10.0010/20220922/bLSUk4TWWy3N/pPfHUHcGeIse\\_en.pdf](https://estatemnts.unmeetings.org/estatemnts/10.0010/20220922/bLSUk4TWWy3N/pPfHUHcGeIse_en.pdf)> [accessed 09.06.2023] (p. 6).

<sup>3</sup> Intergovernmental Authority on Development (@icpac\_igad, 16.11.2021), "It's immoral for the rich to talk about their future children and grandchildren when children of The Global South are dying now. We needed concrete solidarity and cooperation, the rich offered more empty words," Asad Rehman on behalf of Demand Climate Justice #COP26' (tweet), 00:00:45 - 00:00:53.

<sup>4</sup> Desmond Tutu, 'We do not need climate change apartheid in adaptation' (2008), <<https://hdr.undp.org/content/we-do-not-need-climate-change-apartheid-adaptation>>, cited in Jennifer L. Rice, Joshua Long, and Anthony Levanda, 'Against climate apartheid: Confronting the persistent legacies of expendability for climate justice, *EPE: Nature and Space*, 5(2022), 625-645 (p. 627).

these understandings of socio-spatial vulnerability, providing greater specificity to the climate-colonial nexus. In actively tracing the colonial power structures and recognising the existence of colonial legacies in the present, decolonising human rights becomes a precondition for an appropriate and just response to climate change.

As climate justice centralises human rights and in response to the climate-colonial present, it seemed appropriate to turn to the human right of decolonisation: the right to self-determination. Moreover, in the context of the climate crisis, the Human Rights Council (2009) emphasised self-determination as a human right particularly vulnerable to climate change.<sup>5</sup> Codified in Common Article 1, self-determination is a complex, collectively fulfilled right that bridges the two International Covenants. Broadly understood to be a 'a community's right to govern itself independently', there is little international agreement on the specificity of its content and application.<sup>6</sup> Its ambiguity is broadly acknowledged in human rights literature. Despite this, there is consensus on its central role in decolonisation, with Cassese noting it as 'one of the most important driving forces in the new international community'.<sup>7</sup> A paradox emerges, however: despite self-determination's firm association with decolonisation, academic discourse is monopolised by its East-West development.

Reflecting on this gap in literature and the increased attention towards climate-coloniality, this thesis responds to the following research question: how can a decolonial review of the right to self-determination assist climate justice in its response to climate-colonial vulnerability?

Chapter 1 will review the impact of colonialism in the conceptual and textual development of the right to self-determination from the standpoint of the Global South, drawing on work from anticolonial leaders to present a decolonial account of its logic. A chronological approach will be taken, using primary and

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<sup>5</sup> UN Human Rights Council, 'Report of the Office of the United Nations High Commissioner for Human Rights on the relationship between climate change and human rights', 15.01.2009, A/HRC/10/61, <<https://www.refworld.org/docid/498811532.html>> [accessed 02.03.2023].

<sup>6</sup> Anna Stilz, 'The Value of Self-Determination' in *Oxford Studies in Political Philosophy*, 9 vols (Oxford: Oxford University Press, 2016), II, pp. 98-127 (p. 98).

<sup>7</sup> Antonio Cassese, *Self-Determination of Peoples: A Legal Reappraisal* (Cambridge: Cambridge University Press, 1995), p. 1.

secondary sources to interject and subvert the homogenous Eurocentric narrative. The chapter aims to produce a decolonial framework of self-determination to be utilised in later chapters. Chapter 2 will examine the nexus of climate change and colonialism, reflecting on both the physical and conceptual legacies. When examining the history of climate-coloniality, secondary sources will take a multidisciplinary approach focussing on the fields of history, philosophy, and anthropology, framed by the theoretical work of Edward Said. Upon establishing the climate-colonial nexus, self-determination will be placed at its intersection, with the decolonised logic of Chapter 1 used to help unpack this dynamic. Note that when referring to the Global North and Global South, I refer to the divide as proposed by the Brandt Line.<sup>8</sup> Whilst academics no longer take this to be fully representative of the current global divide, its overview is used to give an indication of the difference in global wealth and development distribution. Chapter 3 will apply this discussion directly to Kiribati: a low-lying island state in the Pacific Ocean. After outlining a brief colonial history, the environmental destruction and continued impacts of colonialism in the present will be explored alongside - and in direct connection to - the impacts of climate change. In order to provide detailed examples of British colonial exploitation, primary documents from the British National Archives will be used. Having established the climate-colonial nexus, self-determination will once again be centralised to deepen our understanding of climate vulnerability and climate justice response. Chapter 4 will extend this discussion to the future, responding to current environmental justice-informed academic proposals for sea level rise and climate statelessness. It must be noted that the aim of this final chapter is not to present a concrete response to climate statelessness, but to further show how decolonising human rights and centralising self-determination can impact climate justice scholarship. This thesis ends where I intended for it to start. Initially embarking on a thesis on climate statelessness and the threat to self-determination, I realised this was only the tip of the iceberg. Whilst an unprecedented problem in itself, this thesis aims to provide a more philosophical understanding that underlies our present-day climate crisis more broadly.

This is a timely study. In the same way that decolonisation was viewed as an epochal moment, so too is the current climate crisis. Self-determination was first conjured to respond to colonialism, it must now be re-understood in order to better respond to present climate-coloniality. Former US President Wilson's

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<sup>8</sup> Nicholas Lees, 'The Brandt Line after forty years: The more North–South relations change, the more they stay the same?' (2020), <<https://www.bisa.ac.uk/articles/brandt-line-after-forty-years-more-north-south-relations-change-more-they-stay-same>> [accessed 01.04.2023].

Secretary of State infamously warned that self-determination was 'simply loaded with dynamite': indeed, this thesis aims to 'explode' the contents of self-determination, centralising its anticolonial components in a climate justice framework.<sup>9</sup>

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<sup>9</sup> Karl E. Meyer, 'Editorial Notebook; Woodrow Wilson's Dynamite', *The New York Times*, 14.08.1991 <<https://www.nytimes.com/1991/08/14/opinion/editorial-notebook-woodrow-wilson-s-dynamite.html>> [accessed 03.03.2023] (para. 3 of 10).

## Chapter I: Decolonising the Logic of Self-Determination

It is surprising that despite self-determination's firm association with North-South decolonisation, the history of self-determination at the international level tends to focus on its East-West development. This narrative stronghold from the global North ironically perpetuates the very domination that self-determination was codified to contest. As per Figure 1, this chapter aims to provide a brief chronological overview of the history of this right, to fracture the hegemonic narrative (blue text) through exploring some of the contributions and writings of anti-colonial activists (yellow text), and to present a decolonised logic of self-determination.

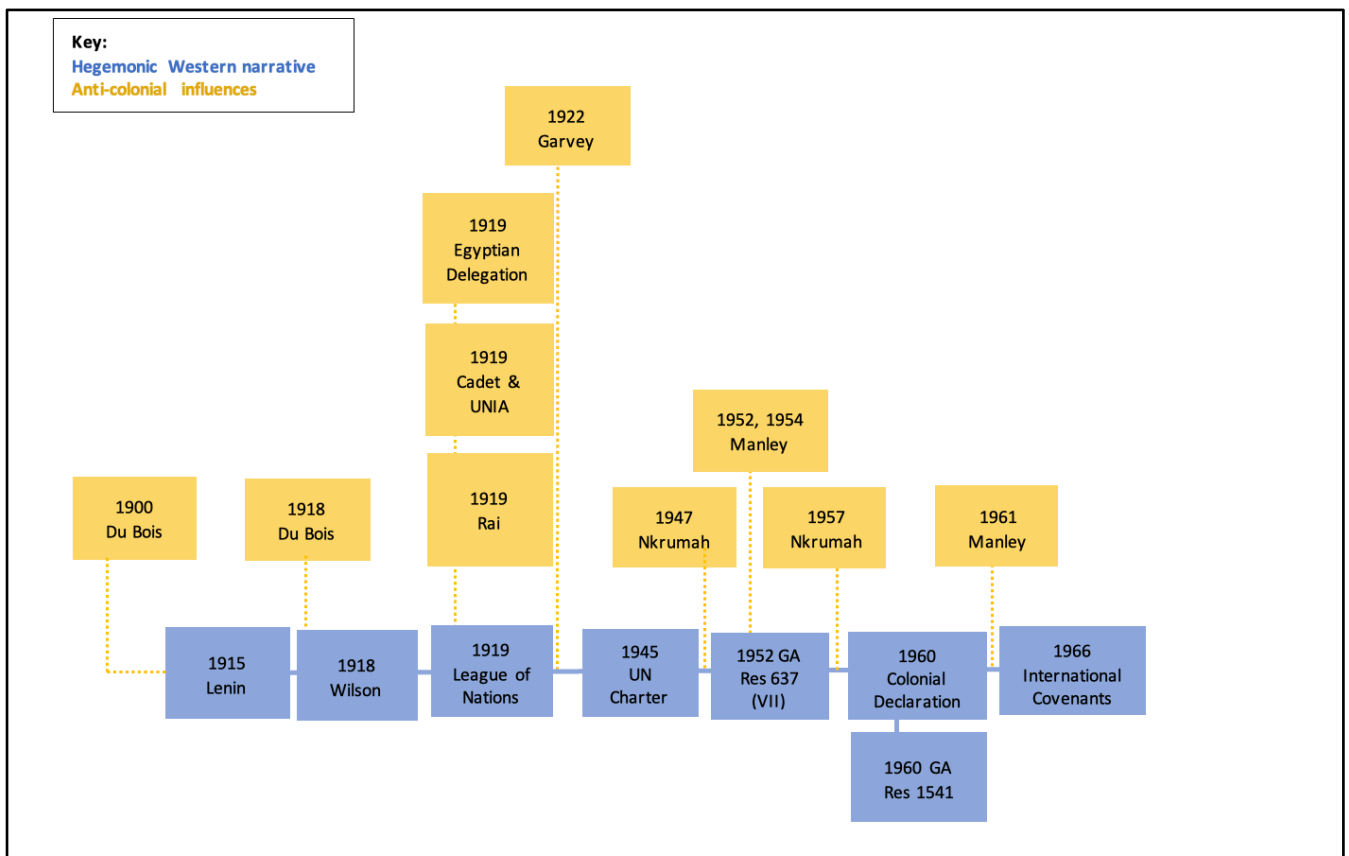


Figure 1. Decolonising the hegemonic, Eurocentric narrative of self-determination. A chronological timeline of the twentieth-century development of the right to self-determination. The blue boxes show the Eurocentric, hegemonic western narrative: beginning with the global North's East-West paradigm. The yellow boxes show the influences of anti-colonial leaders from the global South, the yellow dotted line indicating the relationship with the Eurocentric timeline. This diagram has been made to visualise the discussions of this chapter; it is not an exhaustive list.

### 1.1. 1900-1919: East-West, North-South

Through its association with both Vladimir Lenin and President Woodrow Wilson, the twentieth-century history of self-determination has long been connected to the global East-West dichotomy. Whilst Lenin and Wilson encouraged this politicisation, anti-colonialist writers purposefully fragmented such distinctions.

Lenin's *Theses on the Socialist Revolution and the Right of Nations to Self-Determination* (1916) and his *Imperialism, the Highest Stage of Capitalism* (1917), solidified his ideas on self-determination, marking him, in the words of Cassese (1995), 'the first forceful proponent of the concept at the international level' to write 'the first compelling enunciation of the principle'.<sup>10</sup> Lenin focusses on external self-determination and the 'political separation of [...] nations from alien national bodies, and the formation of an independent national state'.<sup>11</sup> Lenin's anti-colonial framing of self-determination was a novel placement: calling for the independence of peoples from colonial domination. Despite its novelty, the political nuances of such arguments cannot be underemphasised. Lenin writes of self-determination as 'bring[ing] about the complete equality of nations', and 'also giv[ing] effect to the right of oppressed nations to self-determination, i.e., the right to free political secession'.<sup>12</sup> However, this is primarily associated with 'victorious socialism' and hence, Lenin's socialist politics are clear. Ultimately, as also argued by Cassese, Lenin's postulations prioritised his political agenda, thereby placing self-determination of colonised peoples as a subsidiary consequence.<sup>13</sup>

A similar political purpose can be identified in Wilson's proposal of self-determination. In his address to Congress in 1918, Wilson's 'Fourteen Points' speech proposed self-determination as one of the foundations for peace negotiations.<sup>14</sup> His association of self-determination with Western democratic ideals was furthered in his address to the League of Nations in 1919, emphasising internal self-

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<sup>10</sup> Cassese, p. 15.

<sup>11</sup> Vladimir Lenin, 'The Right of Nations to Self-Determination', (1914)

<<https://www.marxists.org/archive/lenin/works/1914/self-det/ch01.htm>> [accessed 20.03.2023] (para. 6 of 18).

<sup>12</sup> Vladimir Lenin, 'The Socialist Revolution and the Right of Nations to Self-Determination', (1916)

<<https://www.marxists.org/archive/lenin/works/1916/jan/x01.htm>> [accessed 20.03.2023] (para. 1 of 34).

<sup>13</sup> Cassese, pp. 18-19.

<sup>14</sup> Woodrow Wilson, 'Fourteen Points', (1918) <[https://avalon.law.yale.edu/20th\\_century/wilson14.asp](https://avalon.law.yale.edu/20th_century/wilson14.asp)> [accessed 20.03.2023].

determination as 'the right of every people to choose the sovereign under which they live, to be free of alien masters, and not to be handed about from sovereign to sovereign as if they were property'.<sup>15</sup> Unlike Lenin, Wilson emphasised self-government as an important facet of self-determination. This firmly placed the Wilsonian conceptualisation as a concern for internal relations, in contrast to Lenin's external position. Whilst Lenin viewed self-determination as a proponent of the socialist revolution, Wilson connected self-determination to European values and a continuation of Western ideals. This is exemplified in Point V of Wilson's 'Fourteen Points' where self-determination of colonised peoples is subject to the West: 'the interests of the populations concerned must have equal weight with the equitable claims of the government whose title is to be determined'.<sup>16</sup>

This global North evolution of self-determination, as explored by Cassese and Yusuf (2012), is heavily critiqued by Lorca (2014) who thoughtfully questions 'this linear progression' in which 'self-determination transitioned from politics to law'.<sup>17</sup> Unconvinced of this narrow development, Lorca turns to 'semi-peripherals' to fully unpack its development, and this chapter shall attempt the same.<sup>18</sup> In the wake of the First World War, and shortly following the West and East articulations' of self-determination, the political pomp of Lenin and Wilson was tested by anticolonial nationalists at the 1919 Paris Peace Conference. In actuality, the post-war reconstruction was itself reminiscent of the politicisation of self-determination with Allied powers acting in their own self-interest.

Eliézier Cadet, as the Universal Negro Improvement Association (UNIA) High Commissioner to the Peace Conference, mimicked Wilson in their 'Nine-Point Declaration':

1. The right of self-determination will be applied to Africans and to every European colony where the African race predominates. [...]

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<sup>15</sup> Woodrow Wilson, cited in Deborah Z. Cass, 'Re-Thinking Self-Determination: A Critical Analysis of Current International Law Theories', *Syracuse Journal of International Law and Commerce*, 18(1992), 21-40 (p. 23).

<sup>16</sup> Wilson, 'Fourteen Points'.

<sup>17</sup> Arnulf Becker Lorca, 'Petitioning the International: A "Pre-history" of Self-determination', *The European Journal of International Law*, 25(2014), 497-523 (p. 498).

<sup>18</sup> Ibid.

9. The return to the natives of Germany's African colonies, which will be governed by Negroes educated in the Eastern and Western countries.<sup>19</sup>

Cadet and Du Bois used the Peace Conference as a platform to advocate for self-determination as a key component in post-war reconstruction; rebuilding the world and expanding the international community to non-Western states, rather than reproducing the pre-war order. In a letter to Wilson, Du Bois appeals for the President to reflect on the enactment of his principles of the 'consent of the governed' and 'Government by representation' in America, identifying it as a nation where 'in itself more than twelve million souls whose consent to be governed is never asked. They have no numbers in the legislatures where they are in the majority and not a single representative in the national Congress'.<sup>20</sup> Du Bois emphasises the politicisation of Wilson's self-determination, exposing its emptiness and lack of real-life application.

Prior to these discussed articulations, Du Bois famously wrote: 'The problem of the twentieth century is the problem of the color line'.<sup>21</sup> In his address 'To the Nations of the World' at the first Pan-African Conference (1900), Du Bois speaks to the very facets of self-determination which Lenin and Wilson reference nearly two decades later. Balancing economic and social development, Du Bois speaks of how 'the true worth of colonies lies in their prosperity and progress, and that justice, impartial alike to black and white, is the first element of prosperity', emphasising the colonies' 'incontestable right to be counted among the great brotherhood of mankind'.<sup>22</sup> Du Bois places 'the Congo Free State' as a 'great central Negro state of the world', calling for 'its prosperity [to] be counted not simply in cash and commerce, but in the happiness and true advancement to its black people'.<sup>23</sup> Whilst Du Bois speaks to, rather than openly criticises, the 'European standards' of civilisation, what is clear is his argument for international progress. Unlike Lenin and Wilson's political fragmentation, Du Bois (and later also Cadet and the UNIA) places

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<sup>19</sup> Universal Negro Improvement Association (UNIA), 'Petition of the Universal Negro Improvement Association League to the League of Nations', cited in, Lorca, p. 500.

<sup>20</sup> W. E. B. Du Bois, 'Letter from WEB DU Bois to President Woodrow Wilson, November 1918' (1918) <<https://iowaculture.gov/sites/default/files/history-education-pss-civilww-duboiswilson-transcription.pdf>> [accessed 20.03.2023] (p. 1).

<sup>21</sup> W. E. B. Du Bois, 'To the Nations of the World' (1900) <[https://warwick.ac.uk/fac/arts/english/currentstudents/undergraduate/modules/fulllist/second/en213/syllabus2017-18/dubois\\_tothenations.pdf](https://warwick.ac.uk/fac/arts/english/currentstudents/undergraduate/modules/fulllist/second/en213/syllabus2017-18/dubois_tothenations.pdf)> [accessed 20.03.2023] (p. 1).

<sup>22</sup> Ibid., p. 2.

<sup>23</sup> Ibid.

self-determination firmly within a network of global progress that requires both internal and external actualisation: for anti-colonial activists they were not politicised opposites but necessarily conjoined. As we shall see, this is a key component of anti-colonialist self-determination.

## 1.2. 1919-1920: self-determination and the League of Nations

The end of the First World War led to the advocacy for self-determination by anti-colonial activists at two levels: membership to the newly formed League of Nations and the questioning of the supremacy of European ideals.

Despite it not being mentioned in its Covenant, the formation of the League of Nations in 1920 served as an international platform for anti-colonial appeals for self-determination. In India's petition for membership to the League of Nations, Lala Lajpat Rai - the country's drafter - emphatically welcomes 'the formation of a League of Nations as a permanent political organization for maintaining the peace of the world, and fostering the development of different nationalities on the principle of self-determination'.<sup>24</sup> Their appeal places self-determination as a grounding principle despite its textual absence in the organisation's creation. Rai extends this further in professing that: 'Without doing so the League of Nations will ultimately degenerate into an instrument of oppression, especially to those nations who are not free at present [...] We believe the principle of Self-Determination alone can solve the great problem of peace.'<sup>25</sup> This tactically-phrased petition places the League of Nations at a fragile crossroads between 'peace' and 'oppression', with self-determination as the means to avoid the latter. As can be observed here, semi-peripheral activists ensured that self-determination remained central to international post-war reconstruction. Moreover, anti-colonialists continued to sever the Wilson-Lenin, internal-external divide: 'supreme objective of this war, the peace of the world, cannot be achieved unless full scope be given to the principles of Self-Determination' both for 'internal aspirations of India, and ending the external ambitions of foreign nations in relation to India'.<sup>26</sup> What is clear is that despite efforts to

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<sup>24</sup> Lala Lajpat Rai, 'India Home Rule League of America, Self-determination for India' (1919), <<https://www.saada.org/item/20130123-1240>> [accessed 20.03.2023] (p. 5).

<sup>25</sup> Ibid., p. 6.

<sup>26</sup> Ibid.

minimise international focus on self-determination, anti-colonialists nurtured its endurance, further diffusing its East-West politicisation, and centralising it as a key component of global peace and stability.

Many petitions spoke to the role that non-Western populations had played in supporting the Allied forces during the Great War and their frustrations at their omission from post-war global reconstruction. In a letter to President Wilson in 1919, the Egyptian Delegation emphasised how '[f]rom the beginning of the war, the Egyptian nation has never faltered in its loyalty to the Entente Alliance' and their choice to 'work whole-heartedly for the winning of the war, and postpone discussion of the future of Egypt until the Peace Conference'.<sup>27</sup> Seven days later, and after no response, the delegation questioned how sovereignty could 'be denied to those who have contributed to the triumph of liberty?'.<sup>28</sup> This echoed the same sentiment as the Indian delegation and Marcus Garvey's 1922 petition for "'racial political liberty" for the black race, because of the "splendid service" it had delivered to the allied forces during World War I'.<sup>29</sup> Such obstruction to self-determination ultimately highlighted its politicisation and the global North's insistence on maintaining the hierarchies between nations.

Taking this further, semi-peripheral activists viewed the post-war years as a time of categorical reflection on these very 'Western' ideals, or rather the Global North's supposed supremacy in resembling them. Lorca writes of how 'the Great War irreparably damaged European prestige', paving the way for semi-peripherals to 'critique Western powers' rule over the non-Western world and destabilize the standard of civilization': 'After the war, the concept of civilisation and civilised nations was no longer self-evident'.<sup>30</sup> The horrors of the Great Wars in quick succession fundamentally upturned the image of the West as a superior model for morality, and provided further factual reasoning to question its Imperial position.

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<sup>27</sup> Egyptian Delegation to the Peace Conference, (1919)  
<<https://cudl.colorado.edu/MediaManager/srvr?mediafile=MISC/UCBOULDERCB1-58-NA/1508/i73637506.pdf>>  
[accessed 20.03.2023] (p. 53).

<sup>28</sup> Ibid., p. 56.

<sup>29</sup> Lorca, p. 505.

<sup>30</sup> Ibid., p. 507.

### 1. 3. 1945-1960: textual development from a principle to a Right

The end of the Second World War saw the creation of the United Nations and, as a result, the first legal codification of self-determination in its Charter:

1.2. To develop friendly relations among nations based on *respect for the principle of equal rights and self-determination of peoples*.<sup>31</sup>

There are three important facets of this articulation of self-determination. First, it is identified as a 'principle': a value underpinning a system rather than a distinguished, justiciable 'right'. Second, the principles are recognised in connection to communal 'peoples', and not individuals, thereby already establishing self-determination as attributable to a collective. Third, the UN Charter draws a clear connection between self-determination and 'the principle of equal rights': initiating the complex connection between self-determination and other human rights.

Despite this legal development, many anti-colonial activists critiqued the UN arguing that no real change had been instigated, with this new international organisation reiterating the work of the League of Nations. As commented on by Getachew (2019), 1945 was 'eerily reminiscent of 1919' with the principles enshrined in the new Charter not resulting in the end of colonial rule.<sup>32</sup> This position is also echoed by Ibhawoh (2020) who writes that 'the UN's creators envisioned a world organisation that would address rights violations but also protect the interest of empire'.<sup>33</sup> As such, the principle of self-determination was still curtailed by Western hierarchies and self-interests without aspiring to terminate colonial rule. This sentiment was furthered by the fact that the UN was a Western-dominated organisation, formed of fifty-one Member States, protecting their hierarchical world order.<sup>34</sup> Yusuf (2012) comments on this and

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<sup>31</sup> United Nations, *Charter of the United Nations*, 26.06.1945, 1 UNTS XVI, <<https://www.refworld.org/docid/3ae6b3930.html>> [accessed 09.03.2023].

<sup>32</sup> Adom Getachew, *Worldmaking after Empire: The Rise and Fall of Self-Determination* (Princeton, Princeton University Press: 2019), p. 71.

<sup>33</sup> Bonny Ibhawoh, 'Seeking the Political Kingdom: Universal Human Rights and the Anti-colonial Movement in Africa, in *Decolonisation, Self-Determination and the Rise of Global Human Rights Politics*, ed. by A. Dirk Moses, Marco Duranti and Roland Burke (Cambridge: Cambridge University Press, 2020), pp. 35-53 (p. 44).

<sup>34</sup> United Nations, 'Growth in United Nations membership', <<https://www.un.org/en/about-us/growth-in-un-membership>> [accessed 20.04.2023].

proposes that decolonisation was not an 'original intention' of the United Nations but through the 'pairing of "self-determination" with "equal rights" of peoples in the Charter', the text 'provided the legal basis for such subsequent practice giving rise to the consecration of self-determination as a positive right against colonization, oppression, and alien domination'.<sup>35</sup> Whilst, as previously mentioned, the diction of the text provides dynamic possibilities, the reality of the hierarchical climate in which it was written cannot be underestimated. The development of self-determination into a positive right must therefore also consider the influence of actors outside the constrained UN organisation.

Kwame Nkrumah of Ghana was an active figure in the development of the UN, as noted by Getachew (2019) and Small (2017), and his advocacy for national liberation movements pertain to key developments of self-determination in the era of decolonisation. In 'Towards Colonial Freedom', a pivotal essay published in 1947, Nkrumah comments on this very imperialist control of global dynamics later critiqued by Getachew (2019) and Ibhawoh (2020), writing of the purposefully limiting conditions colonial powers foster in order to inhibit the 'preparation' of colonial peoples for 'self-government': 'Colonial powers cannot afford to expropriate themselves. And then to imagine that these colonial powers will hand freedom and independence to their colonies on a silver platter without compulsion is the height of folly'.<sup>36</sup> Nkrumah writes of the hypocrisy of Article 1 of the UN Charter with 'the majority of mankind who form the inhabitants of the colonies' not being 'entitled to human equality, except through the generosity of the colonial powers whose interest lies in preserving their power and income by means of exploitation of the colonies'.<sup>37</sup> As a result, Nkrumah writes of the 'national liberation movement' as the 'only road' to 'colonial independence', calling for 'a united effort to unscramble the whole colonial egg of the last hundred years'.<sup>38</sup> In a footnote to this essay, Nkrumah makes clear that whilst the essay 'concentrate[s] on colonial Africa, the thesis of the pamphlet applies to colonial areas everywhere'.<sup>39</sup> As such, Nkrumah's articulations of anti-colonialism and self-determination will be interpreted for a broader application.

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<sup>35</sup> Abdulqawi A. Yusuf, 'Other Global Problems Badly in Need of Substantive Legal Regulation: The Role that Equal Rights and Self-Determination can Play in the Current World Community', in *Realizing Utopia: The Future of International Law*, ed. by Antonio Cassese (Oxford: Oxford University Press, 2012), pp. 375-391 (p. 377).

<sup>36</sup> Kwame Nkrumah, 'Towards Colonial Freedom (1947)', in *Revolutionary Path* (London: Panaf, 1973), pp. 13-41 (p. 16).

<sup>37</sup> *Ibid.*, p. 35.

<sup>38</sup> *Ibid.*, p. 17.

<sup>39</sup> *Ibid.*, p. 16.

Nkrumah initiated a fundamental shift in the development of self-determination: not another pawn in the powerplay of colonial powers, but a principle of freedom that should be defined by the colonial peoples. In his 1947 essay, Nkrumah defines this as a triad:

(1) *Political Freedom*, i.e. complete and absolute independence from the control of any foreign government. (2) *Democratic Freedom*, i.e. freedom from political tyranny and the establishment of a democracy in which sovereignty is vested in the broad masses of the people. (3) *Social Reconstruction*, i.e. freedom from poverty and economic exploitation and the improvement of social and economic conditions of the people so that they will be able to find better means of achieving livelihood and asserting their right to human life and happiness.<sup>40</sup>

Nkrumah's three facets not only further sever the internal-external divide, with points (1) and (2) reflecting the Lenin and Wilsonian points respectively, but also initiate self-determination's relationship with social-cultural development, and the connection of this to political rights: a vital consideration that would be considered during the drafting of the International Covenants years later. As this chapter will show, the development of self-determination from Article 1 of the Charter to the Covenants reflect the very discussions Nkrumah initiated in this essay.

In 1952, seven years after the signing of the UN Charter, General Assembly Resolution 637 (VII) stated: 'the right of peoples and nations to self-determination is a *prerequisite* to the full enjoyment of all fundamental human rights': further solidifying the relationship initiated in the UN Charter and emphasising its primacy.<sup>41</sup> This speaks to the active role of Nkrumah and Nnamdi Azikiwe at the UN who, as outlined by Getachew, 'ranked the right to self-determination as lexically prior to individual human rights, as well as other projects like economic development, which were part of the broader vision of postcolonial transformation'.<sup>42</sup> This acknowledgement is even more important in the wake of the Universal Declaration of Human Rights (1948): a fundamental milestone in the twentieth century

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<sup>40</sup> Ibid., p. 41.

<sup>41</sup> UN General Assembly, *The right of peoples and nations to self-determination*, 16.12.1952, A/RES/637, <<https://www.refworld.org/docid/3b00f0791c.html>> [accessed 09.03.2023].

<sup>42</sup> Getachew, p. 93.

development of human rights, which pivotally does not include any reference to the right to self-determination. Resolution 637 writes of self-determination as a 'principle' and a 'right' interchangeably, initiating this legal development without solidifying it. This Resolution both cemented self-determination as integral to the United Nation's decolonisation agenda, as well as codified the anti-colonial influences and contributions to the development of self-determination.

In a speech announcing the independence of Ghana in 1957, Nkrumah spoke of a 'new' Africa 'ready to fight its own battles and show that after all the black man is capable of managing his own affairs': 'Our independence is meaningless unless it is linked up with the total liberation of the African continent'.<sup>43</sup> Almost in response to this, the 1960 Declaration on the Granting of Independence to Colonial Countries and Peoples (Colonial Declaration) lay the international groundwork for global decolonisation. Within the text of the Colonial Declaration itself, self-determination progresses from a principle to a right:

Conscious of the need for the creation of conditions of stability and well-being and peaceful and friendly relations based on *respect for the principles of equal rights and self-determination of all peoples*, and of universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion, [...]

Declares that:

1. The subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations and is an impediment to the promotion of world peace and co-operation.

2. *All peoples have the right to self-determination*; by virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.<sup>44</sup>

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<sup>43</sup> Kwame Nkrumah, 'Speech at the Independence of Ghana, March 6, 1957' in *I Speak of Freedom: A Statement of African Ideology* (New York: Frederick A. Praeger, 1961), p. 107.

<sup>44</sup> UN General Assembly, *Declaration on the Granting of Independence to Colonial Countries and Peoples*, 14.12.1960, A/RES/1514(XV), <<https://www.refworld.org/docid/3b00f06e2f.html>> [accessed 03.03.2023] (p. 2) [emphasis added].

The resolution begins by echoing Article 1 of the UN Charter but is then extended in its second principle. Specifically, within the context of decolonisation, self-determination has been extrapolated from a principle to a right enshrined to 'all peoples'; with the addition of the indefinite pronoun 'all' broadening its application from the UN Charter and laying the groundwork for the universality of the two international covenants to be adopted six years later.

Importantly, in comparison to the drafting of the UN Charter, the admission of new States to the United Nations provided further weight in the writing of the Colonial Declaration and discussions surrounding self-determination. Heiss (2020) identifies the importance of this timely moment in which seventeen states mostly from Africa 'took place in September 1960, which meant that new members would be full participants in all standing committee and General Assembly discussions'.<sup>45</sup> These new Member States, including Chad, Nigeria, Senegal and Somalia, would have played an active role in discussion surrounding the Colonial Declaration. This marked an important, though still progressing, balance between the global North and South at the UN.

#### 1.4. 1966: International Covenants

The General Assembly's decision to formulate two separate International Covenants was clarified by Resolution 543 (VI) which called drafters to 'emphasise the unity of the aim in view and to ensure respect for and observance of human rights', by including 'as many similar provisions as possible'.<sup>46</sup> The International Covenant on Economic, Social and Cultural Rights (ICESCR) and International Covenant on Civil and Political Rights (ICCPR) are indeed unified in their shared Article 1:

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<sup>45</sup> Mary Ann Heiss, 'Privileging the Cold War over Decolonisation' in *Decolonisation, Self-Determination and the Rise of Global Human Rights Politics*, ed. by A. Dirk Moses, Marco Duranti and Roland Burke (Cambridge: Cambridge University Press, 2020), pp. 132-150 (p. 139).

<sup>46</sup> United Nations General Assembly, *Preparation of two Draft International Covenants on Human Rights*, 05.02.1952, A/RES/543(VI), <<https://digitallibrary.un.org/record/210793?ln=en#record-files-collapse-header>> [accessed 09.03.2023] (p. 1).

1.1. All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

1.2. All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence.

1.3. The States Parties to the present Covenant, including those having responsibility for the administration of Non-Self-Governing and Trust Territories, shall promote the realization of the right of self-determination, and shall respect that right, in conformity with the provisions of the Charter of the United Nations.<sup>47</sup>

This Common Article places self-determination as one of the only rights that fulfils the intent of Resolution 543. Moreover, its placement as the first article further solidifies Nkrumah's and Azikiwe's argument for the primacy of the right to self-determination. Article 1 also marks the complex relationship that self-determination has with both civil-political and economic-social-cultural rights. This intricacy occurs not only across the two International Covenants, but also at an intra-level within the articulation of right itself: 'freely determine their political status and freely pursue their economic, social and cultural development'.<sup>48</sup> Whilst there was a suggestion to separate the 'political status' and 'economic, social and cultural status' to their respective Covenants, this was dismissed on the grounds that it was 'based upon artificial distinction' and that '[e]very people or nation was or should be an integrated entity': 'A people or nation could not freely determine its political status could hardly determine its economic, social and cultural status and vice versa'.<sup>49</sup> This discussion at the General Assembly echoes the argument from Nkrumah's speech given almost a decade earlier.

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<sup>47</sup> UN General Assembly, *International Covenant on Civil and Political Rights*, 16.12.1966, vol. 999, I-14668, <<https://www.refworld.org/docid/3ae6b3aa0.html>> [accessed 9.03.2023] (p. 173);

UN General Assembly, *International Covenant on Economic, Social and Cultural Rights*, 16.12.1966, vol. 993, I-14531, <<https://www.refworld.org/docid/3ae6b36c0.html>> [accessed 09.03.2023] (p. 5).

<sup>48</sup> *Ibid.*

<sup>49</sup> UN General Assembly, *Draft International Covenants on Human Rights*, 01.07.1955, UNGAOR, A/2929, <<https://documents-dds-ny.un.org/doc/UNDOC/GEN/N55/173/02/PDF/N5517302.pdf?OpenElement>> [accessed 09.03.2023] (p. 43).

With many similarities to the writings of Nkrumah, Norman Manley was a prominent figure who strengthened the bridge between the political and economic, and the placement of decolonisation and self-determination at its nexus. In his article on the pivotal role of Jamaica in decolonisation, Getachew (2019) writes of how 'Manley displaced the Cold War's East–West divide, instead drawing on a longstanding anti-colonial critique to look at the world along its North–South axis', as discussed at the start of this chapter.<sup>50</sup> Getachew argues that in so doing, Manley extended the understanding of imperial domination from political to also economical: '[w]hen viewed from the “tropics,” the world was not bifurcated by ideology, but by a global economy whose origins lay in the project of European imperial expansion'.<sup>51</sup> Manley's emphasis on the importance of economics in decolonisation and self-determination can be identified in a speech made to the House of Representatives in 1952, published as 'Self-government now!'. In this speech Manley emphasises the economic 'aspect' of self-government': 'the extent to which we are limited and circumscribed in our responsibility today. In most of the matters that concern our economic development we are not free to make our own decisions. For example, we are not really free to choose the countries we will trade with'.<sup>52</sup> Manley places economics at both the root of colonialism and the drive towards self-determination, marking it as an essential component in the achievement of political self-government.

### 1.5. An anti-colonial framework

This chapter has aimed to survey the chronological development of self-determination at the international level and question the Eurocentric historical monopoly through the writings of anti-colonial activists and leaders. This is by no means an exhaustive list of contributors, but an indication of the broader, global history of the right to self-determination. From this overview, there are five key characteristics of the right to self-determination that can be identified.

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<sup>50</sup> Adom Getachew, 'When Jamaica Led the Postcolonial Fight Against Exploitation' (2019), <<https://www.bostonreview.net/articles/when-jamaica-led-fight-against-exploitation/>> [accessed 09.07.2023] (para. 2 of 20).

<sup>51</sup> Ibid.

<sup>52</sup> Norman Manley, 'Self-government now!: Committee draft constitution, 1952' in *Norman Washington Manley and the new Jamaica; selected speeches and writings, 1938-68* (New York: African Publishing Corporation, 1971), pp. 123-129 (p. 126).

First, the *collective unity* that self-determination instigates, not just in its lexical application to 'peoples' but in its global aspiration. In contrast to the political manipulation and dichotomic opposition of East and West, self-determination is persistently referred to as a source of international unification: including, UNIA's 1922 petition on behalf of the 'four hundred million black people of Africa and the world'<sup>53</sup>; Nkrumah's (1947) labelling of Ghana's independence as 'meaningless unless [...] linked up with a total liberation of the African continent'<sup>54</sup> and Manley's (1952) calling for Jamaica's self-government as 'the greatest stimulus' for 'the world beyond [...] in their own efforts'.<sup>55</sup> Second, the *primacy* of self-determination: argued by Nkrumah (1947) and later codified in Resolution 637's 'prerequisite' declaration and further solidified in common Article 1 of the International Covenants. Third, its complex *duality* in connecting political and development rights; and the importance of economic development in the actualisation of political self-determination. In relation to this, a fourth characteristic is self-determination's *progressive dynamism*. In a speech delivered in 1954, Manley criticised the British Governor: 'The fact of the matter is that self-government is a way of life for people - that is all. It is not a process, and it is not a road. It is a way of life. And we have not achieved that way of life yet'.<sup>56</sup> This epitomises the fundamental difference: against the ivory tower discussions and political manipulations of the Global North, the Global South reveals the stark reality of self-determination as an essential right in daily life. Following this, the fifth characteristic: self-determination as an *epochal* moment. In absolute contrast to the Eurocentric narrative of self-determination as the subsequent chapter from imperialism, the Global South viewed it as a fundamental shift in the world order.

This conclusion purposefully emphasises the complexity of self-determination. However, broadening the global lens of the history of this right aims to provide a deeper understanding of it. As such, these identified characteristics will be taken forward as a decolonial interpretative framework, to be applied

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<sup>53</sup> Marcus Garvey, 'Petition of the Universal Negro Improvement Association League to the League of Nations', in *The Marcus Garvey and Universal Negro Improvement Association Papers, Vol. I: 1826-August 1919*, ed. by Robert Abraham Hill (California: California University Press, 1983) pp. 735–740, cited in Lorca, p. 499.

<sup>54</sup> Nkrumah in Getachew, p. 1.

<sup>55</sup> Manley, 'Self-government now!', p. 129.

<sup>56</sup> Norman Manley, 'Self-government is a way of life' in *Norman Washington Manley and the new Jamaica: selected speeches and writings, 1938-68* (New York: African Publishing Corporation, 1971), pp. 132-134, (p. 133).

when discussing the right to self-determination. Having considered the past, this decolonised logic will now be placed within the present, and more specifically in relation to climate-colonialism.

## Chapter 2

### The Climate-Colonial Nexus

This chapter aims to initiate an intersectional approach to climate justice through understanding climate vulnerability as connected to historical systems of oppression. At both a conceptual and physical level, colonial actions have caused - and continue to cause - significant impacts on the environment. It is no coincidence that repeatedly the states most vulnerable to the impacts of the climate crisis were formerly colonised. Using Edward Said's *Orientalism* (1978) to open this discussion, the concept of 'climate-coloniality' will be explored, focussing on the systematisation of power through control and development, as shown in Figure 2: a diagram that will be referenced throughout this chapter's discussion. The continued colonial divide between the North and South will be established at three levels: climate responsibility, climate effect, and economic development. Each of these are important factors in understanding the climate-colonial nexus.

As a human right firmly connected to decolonisation, the promotion and protection of self-determination provides a focussed lens to explore how human rights fits within this complex paradigm. The International Covenant's codification of self-determination directly aligns it with similar concerns of colonialism and the climate crisis (namely the connection to development and disposal of natural resources), thereby placing it both dynamically and uncomfortably at the intersection of climate-coloniality. The chapter will close by using the anticolonial framework elaborated in Chapter 1 to further highlight the importance of decolonising human rights, now more specifically applied to the climate crisis and a climate justice response.

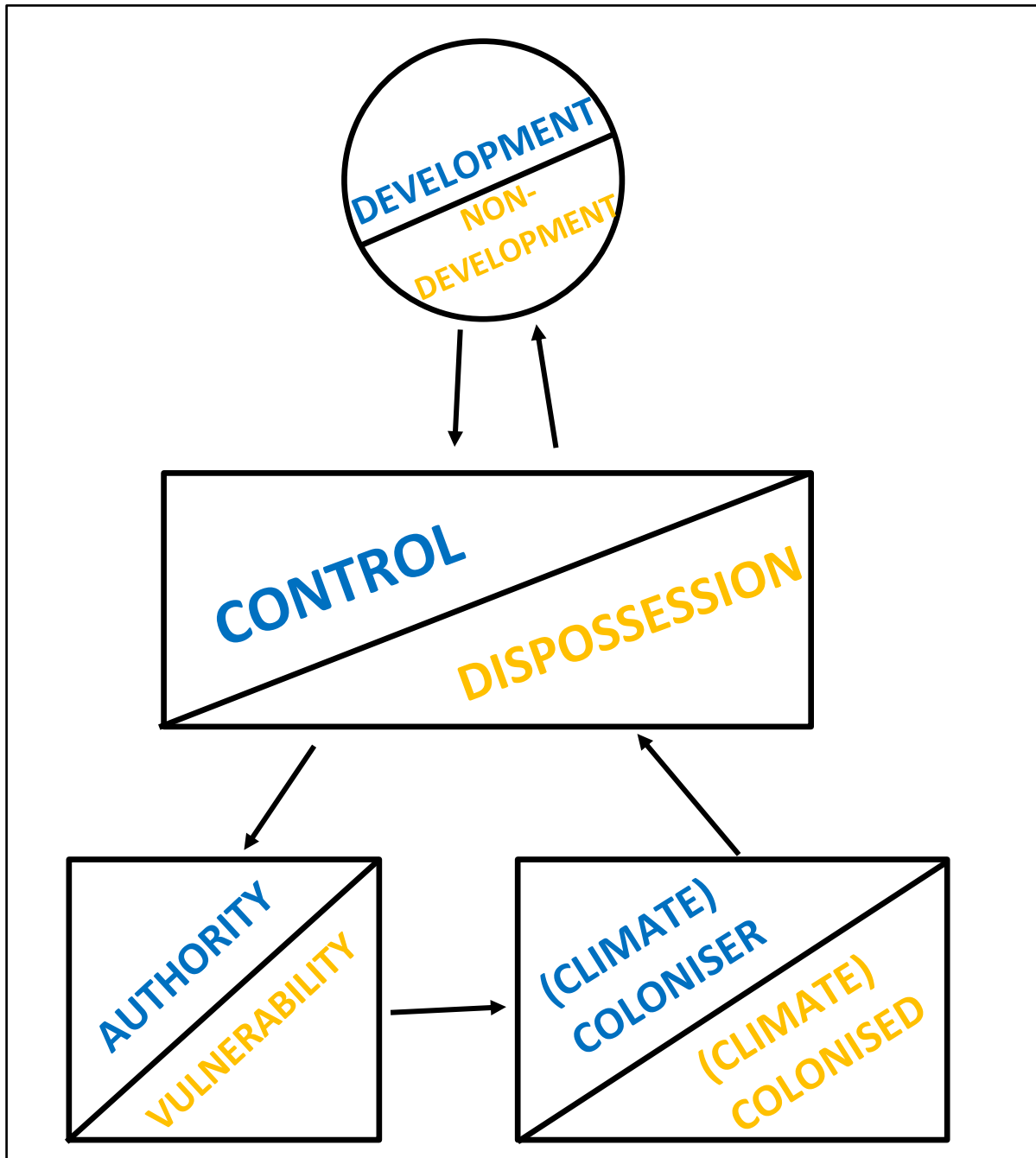


Figure 2. The durable continuum between colonialism and the climate crisis. A diagram made to visualise the continuities between the colonial past and climate present, inspired by the work of Edward Said. The split boxes inspired by Said's 'Orient' and 'Occident'; the antitheses reflect and ensure the other's existence. The control and authority of the (climate-)coloniser is maintained through the dispossession and vulnerability of the (climate-)colonised. Development/non-development is both the result of and tributary to the control/dispossession dynamic. Through colonial extraction, coloniser's master, and control available resources, dispossessing the colonised population of these resources and reducing their own development. The resultant economic development of the coloniser only strengthens such control and authority.

## 2.1. Said's *Orientalism* in the Anthropocenes

Said's pioneering *Orientalism* and its representation of colonial constructs provides a useful framework for tracing the systematic logic and power of colonialism into the present. Said writes of the European construction of the 'Orient' which has itself 'helped to define Europe (or the West) as its contrasting image, idea, personality, experience'.<sup>57</sup> Said argues that Orientalism became engrained within society (sociologically, politically, scientifically, ideologically) as 'a Western style for dominating, restructuring, and having authority over the Orient', ensuring that 'the Orient was not (and is not) a free subject of thought or action'.<sup>58</sup> It is this very Western stronghold over the conception of the Oriental Other that developed the global hierarchy between States: the supremacy of the colonisers maintained only through the forced subversion of the colonised. This plays into Said's emphasis on the 'configurations of power' that underline the connections between history and geography.<sup>59</sup> Said casts this global structure as reliant on the 'two geographical entities [to] support and to an extent reflect each other'; it is therefore only through the creation and perpetuation of the 'Orient' that the Occident can maintain its authority.<sup>60</sup> The split boxes in Figure 2 represent this: the antitheses reflect and ensure the other's existence. For example, the control and authority of the (climate-)coloniser is maintained through the dispossession and vulnerability of the (climate-)colonised. Moreover, the economic development of the coloniser is achieved at the expense of the colonised, whose vulnerability and dispossession nurture the "uncivilised" and "under-developed" constructs imposed upon them. Said writes that 'what we must respect and try to grasp is the sheer knitted-together strength of Orientalist discourse, its very close ties to the enabling socio-economic and political institutions, and its redoubtable durability'; it is a 'system of ideas that can remain unchanged'.<sup>61</sup> Perhaps at the time of writing, Said was unaware of the accuracy strength of such 'durability', and its continued relevance forty-five years after publication.

This robustness is absolute: the self-perpetuating cycle supporting the 'Occident' at the expense of the 'Orient' endures into the climate present. It is widely acknowledged, as written in the latest 2023 IPCC report, that '[v]ulnerable communities who have historically contributed the least to current climate

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<sup>57</sup> Edward W. Said, *Orientalism* (New York: Vintage Books, 1979), p. 1.

<sup>58</sup> *Ibid.*, p. 3.

<sup>59</sup> *Ibid.*, p. 5.

<sup>60</sup> *Ibid.*

<sup>61</sup> *Ibid.*, p. 6.

change are disproportionately affected (high confidence).<sup>62</sup> As shown in recent data published by the World Bank (2022), greenhouse gas emissions per country reveal the continued imbalance between climate responsibility and impact. Data for the total greenhouse gas emissions in kilo-tonnes (kt) of CO<sub>2</sub> (published in 2019) show the three least contributing countries to be Tuvalu, Nauru and Kiribati with emissions of 26 kt, 70 kt and 118 kt respectively.<sup>63</sup> In 2019, total global emissions were calculated to be at 48,116,560 kt; of this, the Pacific small island states contribute only 6,184 kt (0.013%).<sup>64</sup> In spite of this, Tuvalu, Nauru and Kiribati are three of the most vulnerable states to the adverse effects of climate change, including the increase in extreme weather events and the escalating threat of rising sea levels to low-lying island states. These specifics will be developed more fully in the following chapters through the case study of Kiribati. In spite of this internationally acknowledged discrepancy between emitters and those at the forefront of the climate crisis (i.e. the climate-colonisers and the climate-colonised), there is a clear lack of action from the states most responsible. Only in November 2022 at COP27 was an agreement on the Loss and Damage fund reached, an important development that poignantly acknowledged this global incongruity. Whether this recent negotiation turns to meaningful action and poignantly challenges the climate-colonial cycle, is still yet to be determined.

Despite the scientific, and now political, acknowledgement of the global variations in climate vulnerability and responsibility, the conceptual rhetoric surrounding the climate crisis is overwhelmingly homogenising: "the *global* climate change in the age of the *Anthropocene*". The 'Anthropocene', as popularised by Crutzen and Stoermer in 2000, refers to our current era as one characterised by the influence of human activities on the biosphere. The sweeping generalisations, mirroring the oversimplification of the 'Orient' and 'Occident', result in the Global North once again silencing the most vulnerable through monopolisation. In acknowledgement of this, and as argued in Yusoff's paradigmatic *A Billion Black Anthropocenes or None* (2018), this work will only refer to the 'Anthropocene' in the plural: the Anthropocenes.<sup>65</sup> Yusoff's seminal work, focussing primarily on the Caribbean and Americas,

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<sup>62</sup> Intergovernmental Panel on Climate Change, *Climate Change 2023: Synthesis Report. A Report of the Intergovernmental Panel on Climate Change. Contribution of Working Groups I, II and III to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change*, ed. by Core Writing Team, H. Lee and J. Romero, 2023 [pre-print] <[https://www.ipcc.ch/report/ar6/syr/downloads/report/IPCC\\_AR6\\_SYR\\_SPM.pdf](https://www.ipcc.ch/report/ar6/syr/downloads/report/IPCC_AR6_SYR_SPM.pdf)> [accessed 09.03.2023] (p. 5).

<sup>63</sup> The World Bank Group, 'Total greenhouse gas emissions (kt of CO<sub>2</sub> equivalent)' (2022) <[https://data.worldbank.org/indicator/EN.ATM.GHGT.KT.CE?end=2019&most\\_recent\\_value\\_desc=false&start=1990&type=shaded&view=map](https://data.worldbank.org/indicator/EN.ATM.GHGT.KT.CE?end=2019&most_recent_value_desc=false&start=1990&type=shaded&view=map)> [accessed 08.06.2023].

<sup>64</sup> Ibid.

<sup>65</sup> Kathryn Yusoff, *A Billion Black Anthropocenes or None* (Minneapolis: University of Minnesota Press, 2018), p. xii.

pluralises the 'Anthropocene' to include the histories of racism that have been erased through universality based on White Geology: 'the Anthropocene both unleashes and maintains'.<sup>66</sup> Yusoff presents White Geology as the connector of genocide, ongoing settler colonialism and slavery, and, building on the work of Derrida, marks the 'Anthropocene man' as an inevitable development from the 'colonial man'.<sup>67</sup> The neo-colonial continuation of power is similarly explored by Baldwin (2017) who argues that the climate discourse's use of the Anthropocenes forces us to critically question 'how racial power is traced' within it.<sup>68</sup> Heavily influenced by the philosophy of Said, Baldwin writes of the past as integral to the formation of the present and the continued construction of the Other.<sup>69</sup> Likewise, Sultana (2022) writes that 'it is indeed through racialized Othering that climate change proceeded and proceeds'.<sup>70</sup> The discrepancy between climate responsibility and climate effect (the climate-coloniser and climate-colonised) is readily identifiable, and thus, as climate justice scholars have started to acknowledge, the rhetoric surrounding the climate discourse must not homogenise, nor simplify, climate vulnerability.

As so far established through a more conceptual framework, the global authority/vulnerability divide identifiable today has strong parallels to colonial domination. For the first time, this correlation has been explicitly identified in the IPCC Working Group II 2022 report, which states, with high confidence, that '[h]uman and ecosystem vulnerability are interdependent'.<sup>71</sup> Focussing on the human, the report shows that around 3.3 billion people are 'living in countries with high human vulnerability to climate change'.<sup>72</sup> Emphasising the intersectionality of this vulnerability, the report repeatedly refers to its historical causation: 'Complex human vulnerability patterns are shaped by past developments, such as colonialism and its ongoing legacy (high confidence), are worsened by compounding and cascading risks (high confidence) and are socially differentiated'.<sup>73</sup> Du Bois' 'color line' can still very much be identified on a global scale; the power structures of the Global North persist today and have become more visible, and quantifiable, in the climate crisis. The 2023 Climate Inequality Report states that the 'global top 1% of

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<sup>66</sup> Ibid., p. 5.

<sup>67</sup> Ibid., pp. 107, 52.

<sup>68</sup> Andrew Baldwin, 'Postcolonial Futures: Climate, Race, and the Yet-to-Come', *ISLE: Interdisciplinary Studies in Literature and Environment*, 24(2017), 292-305 (p. 293).

<sup>69</sup> Ibid.

<sup>70</sup> Farhana Sultana, 'The unbearable heaviness of climate coloniality', *Political Geography*, 99(2022), 1-16 (p. 5).

<sup>71</sup> IPCC, *Climate Change 2022: Working Group II*, p. 12.

<sup>72</sup> Ibid. p. 52.

<sup>73</sup> Ibid. p. 53.

emitters are responsible for more emissions than the entire bottom half of the world's population': statistically confirming the climate responsibility divide between the North and South.<sup>74</sup>

## 2.2. Global divide and development patterns

Although only recently confirmed by the IPCC, this discussion on the global divide within the climate crisis is not novel. Early articulations of climate coloniality can be found in the 1991 publication by Agarwal and Narain on 'Global Warming in an Unequal World: A Case of Environmental Colonialism'.<sup>75</sup> Writing on the 'blame' allocated to developing countries 'for heating up the earth and destabilizing its climate', Agarwal and Narain argue that reports on climate change, namely the study published by the World Resources Institute in collaboration with the UN, should separate 'the "survival emissions" of the poor, from the "luxury emissions" of the rich'.<sup>76</sup> Without doing so, such reports 'blame developing countries for global warming and perpetuate the current global inequality in the use of the earth's environment and its resources'.<sup>77</sup> In 2008, Archbishop Desmond Tutu spoke of a similar world rich/poor structure: the 'world adaptation apartheid' where 'rich countries can use their vast financial and technological resources to protect themselves against climate change, at least in the short term'.<sup>78</sup> The phrase 'climate apartheid' was used just over ten years later by Philip Alston, UN special rapporteur on extreme poverty and human rights<sup>79</sup>, and again by Asad Rehman, at the closing of COP26: 'You have turned your backs on the poorest who face a crisis of COVID, economic and climate apartheid because of the actions of the richest'.<sup>80</sup> Importantly, all articulations connect the global power divide with economics, highlighting another key aspect of the climate-colonial nexus.

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<sup>74</sup> Lucas Chancel, Philipp Bothe, Tancrede Voituriez, 'Climate Inequality Report 2023: Fair Taxes for a Sustainable Future in the Global South' (2023), <<https://wid.world/wp-content/uploads/2023/01/CBV2023-ClimateInequalityReport-3.pdf>> [accessed 24.04.2023] (p. 9).

<sup>75</sup> Anil Agarwal and Sunita Narain, 'Global Warming in an Unequal World: A Case of Environmental Colonialism (1991)' in *India in a Warming World: Integrating Climate Change and Development*, ed. by Navroz K. Dubash (New Delhi: Oxford University Press, 2019), pp. 81-91.

<sup>76</sup> *Ibid.*, pp. 81, 82-83.

<sup>77</sup> *Ibid.*, p. 81.

<sup>78</sup> Tutu, in Lorca, p. 627.

<sup>79</sup> Philip Alston, 'Climate Change and Poverty: Report of the Special Rapporteur on extreme poverty and human rights', 17.07.2019, A/HRC/41/39, <<https://digitallibrary.un.org/record/3810720?ln=en>> [accessed 01.04.2023] (p. 12).

<sup>80</sup> Intergovernmental Authority on Development.

Therefore, the global division can be more specifically rooted in historical patterns of 'development', as also acknowledged by the IPCC (2022): 'Vulnerability of ecosystems and people to climate change differs substantially among and within regions (very high confidence), driven by patterns of intersecting socioeconomic development'.<sup>81</sup> As summarised by Sha Zukang (2014), UN Under-Secretary General for Economic and Social Affairs, the climate crisis is 'the result of the very uneven pattern of economic development that evolved over the past two centuries, which allowed today's rich countries to attain their current levels of income, in part through not having to account for the environmental damage now threatening the lives and livelihoods of others'.<sup>82</sup>

Reflecting on this in the light of Said's antithetical structure and Figure 2, the growth of the rich is achieved through the continued subjugation of the poor. Economic development is central to the creation and persistence of the global power structure. Placed at the pinnacle of Figure 2, development/non-development is both the result of and tributary to the control/dispossession dynamic. Through colonial extraction, coloniser's master and control available resources, dispossessing the colonised population of these resources. The resultant economic development of the coloniser only strengthens such control. Robert and Parks (2007) emphasise how such 'unequal legacies of extractive colonialism' is the 'root cause' of climate change inequality.<sup>83</sup> Writing about how 'colonialism's long-term institutional effects shape unequal development pathways between the global North and South', Robert and Parks stress the economic growth and robust institutions of the global North, against the global South's 'weak institutions, vulnerable economies dependent on single exports, and high levels of socioeconomic inequality'.<sup>84</sup> Such vulnerability, therefore, can be identified from the initial colonial extraction, but has been maintained through resultant weakened institutions.

Clearly today, this uneven socioeconomic development is still identifiable. As shown in Hickel's (2019) anthropological research on the geopolitical power divide, Hickel emphasises the persistence of the gap between the global North and South. Despite relative development in the global South, Hickel writes that

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<sup>81</sup> IPCC, 'Climate Change 2022: Working Group II', p. 12.

<sup>82</sup> Sha Zukang, cited in Dipesh Chakrabarty, 'Climate and Capital: On Conjoined Histories', *Critical Inquiry*, 41(2014), 1-23 (p. 10).

<sup>83</sup> Michael Christopher Sardo, 'Responsibility for climate justice: Political not moral', *European Journal of Political Theory*, 22(2023), 26-50 (p. 32).

<sup>84</sup> Ibid.

'the income gap between the average person in the North and the average person in the South has nearly quadrupled in size, going from \$9,000 in 1960 to \$35,000 today'.<sup>85</sup> Hickel concludes that today, 'just as during the colonial period', the North's 'access to cheap labour, raw materials, and captive markets in the South' means that there has been 'no “catch up”, no “convergence”'. On the contrary, what's happening is divergence, big time'.<sup>86</sup> Economic development is therefore an important component that nurtures the durable continuation of the global colonial divide.

### 2.3. Connections between decolonisation, development and the Anthropocenes

The ILO emphasises the relationship between development and colonisation, with decolonisation as a driving factor in the increased interest in international development in the 1960s.<sup>87</sup> The ILO stresses that in decolonisation '[d]evelopment is to serve the human person and not to use the latter as a tool for which benefits of development would eventually derive'.<sup>88</sup> Taking decolonisation broadly as the reversal of colonial practice (Larmour, 1997), we can infer colonial development as the product of humans being used as 'tools'.<sup>89</sup> Importantly, the ILO mark the shift from colonial to decolonial development by human prerogative and autonomy; the human becomes centralised, not as a means to an end, but an end in themselves.

Interestingly, this very focus on the human echoes contemporary scholars' writing on the Anthropocenes, an 'era' which itself centralises humankind. A logic commented on by Pulido (2017), Moulton and Popke (2017), and Rice (2022), the scientific centralisation of the human in the Anthropocenes monopolises the human body, drawing a literal human consequence to the global power structures: '[t]he creation of

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<sup>85</sup> Jackson Hickel, *Global Inequality: Do We Really Live in A One-Hump World?* (2019), <<https://www.jasonhickel.org/blog/2019/3/17/two-hump-world>> [accessed 11.04.2023] (para. 9 of 13).

<sup>86</sup> *Ibid.*, para 10, 12 of 13.

<sup>87</sup> Daniel Roger Maul, *Human Rights, Development and Decolonisation: The International Labour Organisation, 1940-70* (New York: Palgrave Macmillan, 2012).

<sup>88</sup> International Labour Organisation, 'The ILO and the Right to Development', 08-12.01.1990, HR/RD/1990/CONF.7, <<https://digitallibrary.un.org/record/633930?ln=en>> [accessed 18.06.2023] (p. 8).

<sup>89</sup> Peter Larmour, 'Whose Initiative: Getting Out or Pushing Out?' in *Emerging from Empire? Decolonisation in the Pacific: Proceedings of a Workshop at the Australian National University December 1996* (Australia: Australian National University, 1997), pp. 204-208 (p. 207).

devalued spaces and racialized bodies, and the notion of expendability, determine those who must be "resilient" and those who are safe from climate hazards'.<sup>90</sup> Rice suggests that the climate crisis has exacerbated legacies of colonialism 'by normalising the dispossession and expendability of historically oppressed communities' and 'prioritise[s] *indispensability* (i.e. value for *all* human and more-than-human life)' as essential in the 'move towards climate justice'.<sup>91</sup> Yusoff (2018) similarly extends the human exploitation of land and resources to also include physical bodies: the Anthropocenes as 'predicated on the presumed absorbent qualities of black and brown bodies to take up the body burdens of exposure to toxicity and to buffer the violence of the earth'.<sup>92</sup> Comparing this to the ILO, a nuanced layer can be added to our understanding of development within the climate-colonial cycle. Both during colonialism and in the present Anthropocenes, the vulnerable (climate-)colonised are considered 'expendable' to be used 'as a tool for which benefits of development [for the (climate-)coloniser] would eventually derive'.

#### 2.4. Response: Climate justice and the climate-colonial framework

Having initiated the climate-colonial nexus and the continued global divide, this study now turns to a climate justice response. Petermann's (2009) key definition of climate justice, used by both Warlenius (2018) and Bond (2014), proposes that climate justice is the recognition that the 'historical responsibility for the vast majority of greenhouse gas emissions lies with the industrialized countries of the Global North'.<sup>93</sup> If climate justice is to address such historically rooted responsibility, the impact of colonialism must be an integral consideration.

A human rights-based approach to the climate crisis has been the focus of many discussions at the international level. In the 2007 *Male' Declaration on the Human Dimension of Global Climate Change*, representatives from SIDS sought for, as per Point 3, an assessment by the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the United Nations Human Rights Council on 'the human rights implications of climate change' and called for an international commitment 'to an inclusive

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<sup>90</sup> Rice et al., p. 635.

<sup>91</sup> Ibid., p. 633.

<sup>92</sup> Yusoff., p. xii.

<sup>93</sup> Anne Petermann, *What is climate justice?* (2009), <[https://globaljusticeecology.org/page-climate-justice/page/4/?et\\_blog/](https://globaljusticeecology.org/page-climate-justice/page/4/?et_blog/)>, [accessed 09.04.2023] (para. 6 of 9).

process that puts people, their prosperity, homes, survival and rights at the centre of the climate change debate'.<sup>94</sup> This call was responded to in the Maldives contribution to the 2009 Report of the Office of the United Nations High Commissioner for Human Rights on 'the relationship between climate change and human rights' which aimed to readdress 'this imbalance' between the attention devoted to the scientific parameters of climate change, and the attention devoted to its human costs'.<sup>95</sup> The report reflects a duality in the human rights-climate change relationship, stating that the challenge is to understand how to meaningfully incorporate human rights into climate change negotiations, whilst also integrating 'climate change considerations into international human rights discourse in a manner that takes sufficient account of the major implications of global warming for the full enjoyment of human rights'.<sup>96</sup>

Similarly, as published in a recent report by the Secretary-General to the Human Rights Council (2022), 'climate change is both an environmental and a social justice crisis that raises interconnected demands for climate action and social equality'.<sup>97</sup> Again, the report emphasises the intersectionality of vulnerability with those who are 'disproportionately at risk from the adverse effects of climate change' including 'indigenous peoples, local communities, peasants, migrants, children, women, persons with disabilities, people living in small island developing States and least developed countries'.<sup>98</sup> In 2022, the OHCHR reiterated the importance for States to consider this in any climate action undertaken 'because people in vulnerable situations are often more exposed to climate change's negative impacts due to multiple and intersecting forms of discrimination'.<sup>99</sup>

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<sup>94</sup> *Male' Declaration on the Human Dimension of Global Climate Change* (2007),

<[https://www.ciel.org/Publications/Male\\_Declaration\\_Nov07.pdf](https://www.ciel.org/Publications/Male_Declaration_Nov07.pdf)> [accessed 10.04.2023] (pp. 2, 3).

<sup>95</sup> Maldives, 'Human Rights Council Resolution 7/23 "Human Rights and Climate Change": Submission of the Maldives to the Office of the UN High Commissioner for Human Rights' (2008)

<[https://www.ohchr.org/sites/default/files/Documents/Issues/ClimateChange/Submissions/Maldives\\_Submission.pdf](https://www.ohchr.org/sites/default/files/Documents/Issues/ClimateChange/Submissions/Maldives_Submission.pdf)> [accessed 10.04.2023] (p. 4).

<sup>96</sup> *Ibid.*, p. 9.

<sup>97</sup> António Guterres, 'The impacts of climate change on the human rights of people in vulnerable situation', 13.06.2022-08.07.2022, A/HRC/50/57, <<https://www.ohchr.org/en/documents/thematic-reports/ahrc5057-impacts-climate-change-human-rights-people-vulnerable>> [accessed 19.04.2023] (p. 7).

<sup>98</sup> *Ibid.* p. 2.

<sup>99</sup> Office of the United Nations High Commissioner for Human Rights, 'Panel discussion on climate change's negative impact on the full and effective enjoyment of human rights by people in vulnerable situations', 27.12.2022, A/HRC/52/48, <<https://www.ohchr.org/en/documents/reports/ahrc5248-panel-discussion-adverse-impact-climate-change-full-and-effective>> [accessed 19.04.2023] (p. 3).

In closer relation to this study, the OHCHR wrote in 2009 that '[v]ulnerability due to geography is often compounded by a low capacity to adapt, rendering many of the poorest countries and communities particularly vulnerable to the effects of climate change'. Whilst aligning with this study's discussion on global divisions and climate vulnerability, this phrasing is heavy-handed, however.<sup>100</sup> The phrasing 'vulnerability due to geography' neatly overlooks the human influences within the geographical divide. As this discussion has shown, and in alignment with climate justice, geography is inseparable from the human. Therefore, 'vulnerability due to geography' must be interpreted to also include a temporal element; the historical structures created within the physical. When centralising human rights within this discussion, this socio-spatial vulnerability must be considered.

## 2.5. Self-determination in the climate-colonial nexus

Whilst aiming to ensure the protection of human rights, Mary Robinson, former High Commissioner for Human Rights, argues that a human rights approach to climate change will highlight the 'countless weaknesses' in the contemporary international framework.<sup>101</sup> First focussing on its textual codification, what weaknesses are revealed when self-determination is centred in the climate-colonial nexus?

As L'Green and Bendit-Rosser (2022) write, '[c]limate change policy must be rooted in the right of self-determination, giving a human-rights based approach that privileges the status, humanity, and aspirations of the people'.<sup>102</sup> In response to L'Green and Bendit-Rosser, in order to 'root' self-determination as the human rights response to the climate crisis, we must first understand how it fits within the colonial present.

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<sup>100</sup> Office of the United Nations High Commissioner for Human Rights, 'The relationship between climate change and human rights', 15.01.2009, A/HRC/10/61, <[https://ap.ohchr.org/documents/dpage\\_e.aspx?si=A/HRC/10/61](https://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/10/61)> [accessed 18.04.2023] (p. 30).

<sup>101</sup> Mary Robinson, cited in Susannah Willcox, 'A Rising Tide: The Implications of Climate Change Inundation for Human Rights and State Sovereignty', *Essex Human Rights Review*, 2012(9), 1-19 (p. 8).

<sup>102</sup> Jasmin L'Green and Zara Bendit-Rosser, *The Impact of Climate Change on the Right to Self-Determination* (2022), <<https://www.internationalaffairs.org.au/australianoutlook/the-impact-of-climate-change-on-the-right-to-self-determination>> [accessed 17.05.2023] (para. 11 of 11).

Briefly returning to the codification of self-determination in the International Covenants, the explicit reference to development and natural wealth and resources draws it directly into the climate-colonial nexus:

1.1. All peoples have the right of self-determination. By virtue of that right they freely determine their political status and *freely pursue their economic, social and cultural development*.

1.2. All peoples may, for their own ends, *freely dispose of their natural wealth and resources* without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. *In no case may a people be deprived of its own means of subsistence.*<sup>103</sup>

Self-determination involves the control and disposal over natural resources and the free pursuit of development, echoing the same facets as the (climate-)colonial cycle, as identified in this chapter and summarised in Figure 2. As a right fundamentally associated with decolonisation (Chapter 1), it is perhaps unsurprising that it should allow for the repossession of development and natural resources as a means to deconstruct colonial power.

Common Article 1 interestingly prefaces the two International Covenants with a socio-spatial relationship: its realisation through natural wealth and resources. Blackett (2016) writes that colonialism is 'first and foremost about securing land' and colonial 'dispossession'<sup>104</sup>, echoing Du Bois' emphasis on how colonialism - and whiteness - can be defined as the 'ownership of the Earth for ever and ever'.<sup>105</sup> Both mirror the work of Said and the durable power dynamics of the global North and the man-made divide between 'Orient' and 'Occident', here taking an even more physical meaning with authority through the literal dispossession of land. Again, it is therefore logical for decolonisation, and self-determination, to be concerned with the repossession and protection of such socio-spatiality. Dietrich and Wündish (hereafter, Dietrich) (2015) expand the importance of territoriality and self-determination into the present in their study on its violation in the climate crisis. Dietrich writes that territory is 'the spatial component

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<sup>103</sup> Article 1, ICCPR, p. 173; Article 1, ICESCR, p. 5 [emphasis added].

<sup>104</sup> Adelle Blackett, 'Decolonising Labour Law: A Few Comments' in *Labour Law and Social Progress: Holding the Line or Shifting the Boundaries?*, ed. by Roger Blanpain and Frank Herdriex (Netherlands: Kluwer Law International B.V., 2016), pp. 89-100 (p. 91).

<sup>105</sup> Du Bois, *Darkwater: Voice from within the Veil* (New York: Harcourt, 1920), cited in Yusoff, p. 26.

of a self-determination right', extending beyond the literal natural resources to describe the 'jurisdictional authority to enact and enforce laws within a particular region'.<sup>106</sup> Therefore, the threat to territory in the climate crisis directly threatens the right to self-determination.

Despite self-determination's attempt to deconstruct the colonial socio-spatial power, the climate crisis poses a direct threat to the physical actuality of self-determination, such as through the loss of land through sea level rise, and destruction of resources through extreme weather events. Another possible 'weakness' is the ultimate endurance of colonial control into the present; a persistence that fundamentally questions the historical fulfilment of self-determination. Having identified the 'durable' continuation of the colonial global divide, the ability to equate this right with the achievement of decolonisation, as codified in the International Covenants, perhaps becomes less certain or, at least, gaps begin to emerge.

## **2.6. Applying the anti-colonial framework**

Decolonising human rights is ultimately a precondition for creating an effective climate justice response to climate-coloniality. To close this chapter, the decolonised framework of self-determination (as established in Chapter 1) will be brought into this discussion. To add further focus, reports published by the Maldives and the Marshall Islands - in pursuance of UN Human Rights Council Resolution 7/23 on the relationship between human rights and climate change - will be used to further situate self-determination within the climate-coloniality of low-lying island states, in preparation for the final chapters.

### *i. Collective unity.*

In the climate-colonial context, the emphasis on self-determination's global unity engenders the necessity for international recognition and responsibility. This is perhaps hinted at in the Human Rights Committee's General Comment 12 (1984) in which there is acknowledgement of the positive and

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<sup>106</sup> Frank Dietrich and Joachim Wündisch, 'Territory Lost - Climate Change and the Violation of Self-Determination Rights', *Moral Philosophy and Politics*, 2(2015), 83-105 (p. 85).

negative obligations for States under Article 1: self-determination ‘imposes specific obligations on States parties, not only in relation to their own peoples, but vis-à-vis all peoples which have not been able to exercise or have been deprived of the possibility of exercising their right to self-determination’.<sup>107</sup> This suggests that States parties do not just have a negative duty to respect and not interfere with another State's right to exercise their right to self-determination, but also a positive duty to promote the self-determination of other States. This latter part marks the active steps required in the 'collective unity' of self-determination. As this chapter has established, the persisting global divide exemplifies the lack of inter-state unity. Despite the anticolonial emphasis on collective unity over seven decades ago, the climate crisis has ultimately exposed the persisting divisions, and added a new poignancy to such international solidarity.

This exact dynamic is recognised by the Maldives in their submission to the OHCHR under HRC Resolution 7/23. The report exemplifies the 'collective unity' of self-determination in their writing of self-determination as a right that 'cannot be realized by a State independently'.<sup>108</sup> Connecting this understanding to the climate crisis and the international obligations that this context ensues, the report states:

'While the Human Rights Council did not perhaps explicitly contemplate interference in the manner imposed by climate change, catastrophic climate change would nevertheless cause the denial of the right to self-determination of the Maldives people. Accordingly, States individually and collectively must refrain from emitting greenhouse gasses at levels that adversely affect the rights of Small Island peoples to self-determination'.<sup>109</sup>

A direct link is drawn between the damaging actions of States across the globe and the ability for SIDS to enjoy their right to self-determination. Connecting General Comment 12 to the context of the climate crisis, States' positive obligation to ensure the global promotion of self-determination directly implicates their contributions to climate change, including the emissions of greenhouse gasses. The anticolonial

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<sup>107</sup> UN Human Rights Committee, 'CCPR General Comment No. 12: Article 1 (Right to Self-determination), The Right to Self-determination of Peoples' (1984), <<https://www.refworld.org/docid/453883f822.html>> [accessed 11.04.2023]

<sup>108</sup> Maldives Submission, p. 74.

<sup>109</sup> Ibid., p. 7.

'collective unity' of self-determination strengthens the understanding of self-determination in the climate-colonial nexus and the positive obligations it ensues.

### *ii. Primacy*

In their submission, the Maldives writes that the right to self-determination is 'a foundation of other rights', highlighting the next decolonised characteristic: the primacy of self-determination.<sup>110</sup> As a prerequisite for the fulfilment and protection of other human rights, it would be logical to centralise self-determination in a climate justice response. As the next chapters will elaborate, the climate crisis also poses unprecedented threats to self-determination, namely the complete loss of nation states without a successor. The anticolonial primacy of self-determination, like 'collective unity', gains a nuanced significance in the present climate-colonial context.

### *iii Duality*

It has been established that the right to self-determination is connected to development. However, exercised within a global structure that perpetually benefits the same States, the fulfilment of this key aspect of self-determination can be questioned. As has been outlined, the global divide in the, as Rice terms, 'contemporary system of racial capitalism'<sup>111</sup> shows the durability and 'sheer knitted-strength' of Said's Orient/Occident system.<sup>112</sup> Today, the onset effects of the climate crisis make this divide even more visible. The Maldives addresses the 'economic aspect of the right to self-determination', and directly replicate the language of Common Article 1 in their writing that '[c]limate change impacts impinge on the disposal of natural wealth resources of the Maldives people, harming or depleting water resources, agricultural lands, and the natural ecosystems that are the foundation of local livelihoods'.<sup>113</sup> Ultimately, the duality of self-determination is indeed central to its fulfilment, but it is obstructed by the global climate-colonial divide.

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<sup>110</sup> Ibid., p. 74.

<sup>111</sup> Rice, p. 637.

<sup>112</sup> Said., p. 6.

<sup>113</sup> Maldives Submission, p. 75.

#### *iv. Progressive dynamism*

Understanding self-determination to be an everyday dynamic ensures its continued attention. Re-quoting Manley from Chapter 1, self-determination 'is a way of life for people - that is all. It is not a process, and it is not a road. It is a way of life. And we have not achieved that way of life yet'.<sup>114</sup> Following this chapter's exploration of the systematisation of colonial logic, and its continuation in the present, arguably we have still not achieved this 'way of life'. Acknowledging self-determination in this way gives further urgency in our understanding of self-determination, its enactment in real-life, and the obstacles to its realisation.

#### *v. Epochal*

Following this, and the fifth identified characteristic, self-determination should be an *epochal* moment. In absolute contrast to the Eurocentric narrative of self-determination as the subsequent chapter from imperialism, the Global South viewed it as a fundamental shift in the world order. The question thus arises: was the codification of the right to self-determination an 'epochal moment'? In their OHCHR submission, the Marshall Islands writes against the 'undesirable' and 'unacceptable' threats to 'self-determination and national dignity': 'It is unlikely that larger nations, with greater political power, would easily accept such a fate for their political boundaries and people'.<sup>115</sup> This echoes the accepted expendability of certain states and emblematises the continued global power divide: the authority and control of the (climate-)coloniser maintained through the persisting vulnerability of the (climate-)colonised. Such continuation infers no epochal moment occurred; self-determination was not fulfilled.

Furthermore, the 'epochal' significance of the right to self-determination has been re-situated in a new light: the unprecedented consequences of the climate crisis. The Marshall Islands proposes that '[n]ever before has the international community been faced with the threat of physical disappearance or disuse of a nation, without a successor state. This poses a highly sensitive and complex legal and human rights

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<sup>114</sup> Manley, 'Self-government is a way of life', p. 133.

<sup>115</sup> Marshall Islands, 'National Communication regarding the Relationship Between Human Rights & The Impacts of Climate Change: Submission of the Republic of the Marshall Islands to the United Nations Human Rights Council' (2008), <[https://www2.ohchr.org/english/issues/climatechange/docs/Republic\\_of\\_the\\_Marshall\\_Islands.doc](https://www2.ohchr.org/english/issues/climatechange/docs/Republic_of_the_Marshall_Islands.doc)> [accessed 10.04.2023] (p. 9).

question'.<sup>116</sup> Just like the drive for decolonisation, the climate crisis calls for a watershed response. However, as this chapter has outlined, the systematic repetition of coloniality unveils the weaknesses in the human rights response thus far. The nuances derived from a decolonised interpretation of self-determination confirm the importance of such practices in climate justice.

As this study turns to the case study of Kiribati, this chapter will close with a quotation from the country's former President, Anote Tong:

When slavery was the norm in the eighteenth century, it was not regarded as being immoral. Likewise, Apartheid was accepted by the international community for a long time. So, climate change in my view was exactly the same thing. Why did we not think about it before? Why did we not do anything about it when we knew with all of the science and the information coming forward that it was wrong? Climate change is the greatest moral challenge for humanity. We haven't risen to the challenge.<sup>117</sup>

Here, Tong encapsulates the argument of the climate-colonial nexus. His direct comparisons of climate change to significant immoralities of human history (slavery and apartheid) implicates the very historically rooted global power structures and divisions that have been discussed. The continuation of such global divisions has been explored through the discrepancies in climate responsibility, climate effect and economic development; crucially, all three of these have been shown to fall along the same line, separating the global North from the global South. In turning to a climate justice response, the complexity of our climate-colonial present has highlighted the limitations in our Western-dominated understanding of self-determination. Indeed, as Tong concludes, 'We haven't risen to the challenge'. This has exemplified the practice of decolonising human rights, as initiated in Chapter 1, to be vital in formulating an effective, more nuanced, climate justice response. The decolonial self-determination framework will be elaborated further in the study of Kiribati: a case study to provide more specificity to this discussion, centralising the promotion and protection of the i-Kiribati's right to self-determination in the climate-colonial nexus.

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<sup>116</sup> Ibid.

<sup>117</sup> *Anote's Ark*, dir. by Matthieu Rytz (EyeSteelFilm, 2018), 00:16:24-00:07:13.

## Chapter 3

### Kiribati: Past and Present

This discussion will now be directly applied to the low-lying island state, the Republic of Kiribati (hereafter, Kiribati). Kiribati, straddling the equator, uniquely covers all four hemispheres of the globe; as former President of Kiribati, Anote Tong, describes the country, 'it's right there bang in the middle of the Pacific Ocean'.<sup>118</sup> Kiribati is formed of thirty-two atolls and one raised limestone island, Banaba Island. As shown in Figure 3, the islands are divided into three groups: the Western Gilbert Islands, the Central Phoenix Islands, and the Eastern Line Islands. Kiribati gained independence on 12 July 1979, after being a British protectorate from 1892 and a British colony from 1916.

Upon outlining a brief colonial history of Kiribati, this chapter will focus on phosphate mining and nuclear testing: two key instances of exploitation and 'development' under colonial rule, providing concrete examples to the discussions of Chapter 2. These considerations will be extended to the present and the interactions between historical vulnerability with climate vulnerability of the i-Kiribati population, thereby situating the climate-colonial nexus. As outlined in the previous chapter, the threat to self-determination will be identified as the human right sitting at the intersection between colonialism and the present day. Building on the centralisation of self-determination in an intersectional climate justice approach, this chapter closes with some considerations on the parallels between anticolonial campaigns for self-determination and Kiribati's present-day climate change appeals. This strengthens the climate-colonial nexus, presenting the centralisation of self-determination within this paradigm in a more positive, active light.

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<sup>118</sup> *Anote's Ark*, 00:02:24-00:02:26.

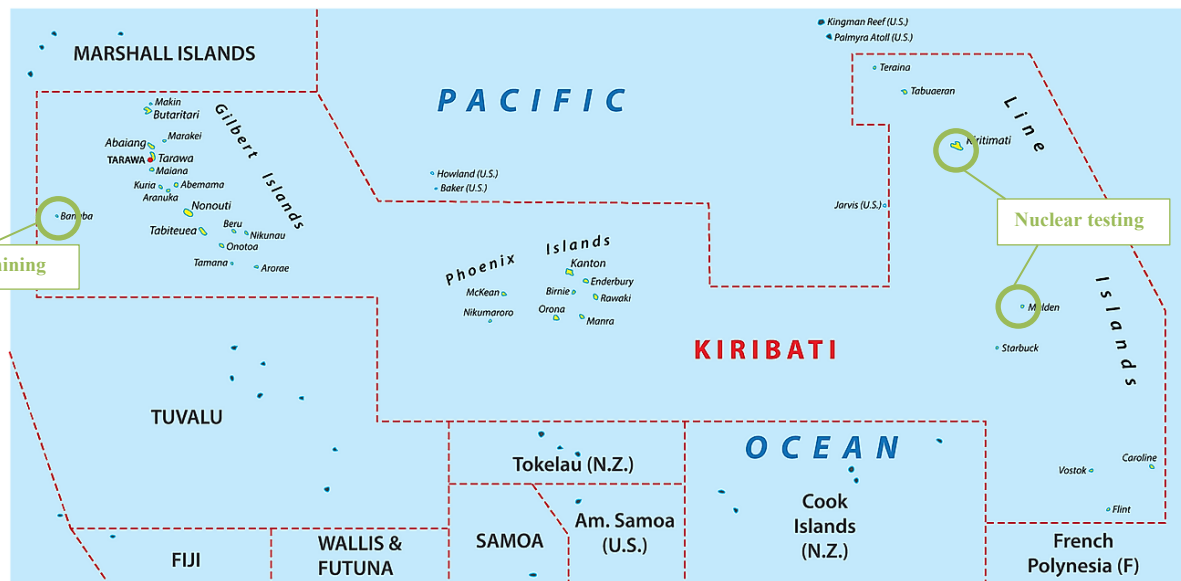


Figure 3. Map of Kiribati. Source: World Atlas, 'Maps of Kiribati' (2020), <<https://www.worldatlas.com/maps/kiribati>> [accessed 03.05.2023].

Text in green added to mark the geographical points of colonial exploitation discussed in this study: (left) phosphate mining in Banaba Island (formerly Ocean Island) and (right) nuclear testing around Kiritimati (formerly Christmas Island) and Malden.

### 3.1. Colonialism: a brief colonial history and its continued legacies

#### 3.1.1. A brief colonial timeline

On 12 July 1979, Kiribati gained independence after eighty-seven years of British rule: twenty-four years as a British protectorate and sixty-three years as a British colony. In 1788, Captain Thomas Gilbert "rediscovered" the islands of Kiribati, later leading to their colonial name of the Gilbert and Ellice Islands (hereafter, Gilbert Islands), with Ellice referring to present-day Tuvalu. Note the names Kiribati and the Gilbert Islands will be used interchangeably in this chapter according to the era in discussion (Gilbert Islands for the pre-1979 independence and Kiribati for post-independence). An increase in European presence in the Gilbert Islands from the eighteenth century, including crews from whaling vessels, escaped convicts and castaways, brought alcohol, arms and European diseases which resulted in the significant decrease in population between mid-nineteenth century to early twentieth century.

As noted by the United Nations Department of Political Affairs, Trusteeship and Decolonization, the European partitioning of the Pacific in 1883 was 'in many respects a by-product of the scramble for and partition of Africa amongst the European Powers'.<sup>119</sup> The negotiations between Germany and Great Britain resulted in the Gilbert Islands being left to Great Britain, and the Marshalls, the Carolines and Palaus to Germany. It took nine years for the Protectorate to be established, with Ocean Island (present day Banaba Island) declared as the capital of the Gilbert Islands until 1941. Prior to the Second World War, colonial rule was characterised by a manner of negligence and expendability, echoing the colonial logic of the previous chapter. The United Nations later described this administration as 'a combination of paternalism and economic neglect [...]. Malnutrition and tuberculosis were rampant while education was left almost entirely in the hands of the Christian missions which often proved inadequate to their task'.<sup>120</sup> During World War 2, the Western Gilbert Islands were occupied by Japan. The Japanese forces deported most of the inhabitants on Ocean Island, with the remaining one-hundred and fifty killed by the retreating occupying power in 1945. The Allied forces reclaimed the Gilbert Islands in 1945 in a high-casualty battle, two years after all other Pacific islands had been recovered: the neglectful approach persisting. The Gilbert Islands remained under the jurisdiction of High Commissioner for the Western Pacific until January 1972. During these years of colonial control, and as marked in green on Figure 3, the Gilbert Islands experienced two significant environmental exploitations: phosphate mining and nuclear testing.

### 3.1.2. Phosphate Mining, Ocean Island/Banaba Island

Described as one of the 'biggest deposits' of 'intensive tricalcium phosphate mining since the early twentieth century', phosphate mining began on Banaba Island following its annexation in 1901.<sup>121</sup> As Edwards notes, phosphate was valued in the first half of the twentieth century as an agricultural fertiliser and therefore held great economic value<sup>122</sup> At this time, the island had a population of approximately

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<sup>119</sup> United Nations Department of Political Affairs, Trusteeship and Decolonization, 'Decolonisation: Issue on Kiribati (Gilbert Islands)', 07.1979, UNST/PSCA(05)/D3, <<https://digitallibrary.un.org/record/55875?ln=fr>> [accessed 11.05.2023] (p. 7).

<sup>120</sup> Ibid., p. 9.

<sup>121</sup> South Pacific Regional Environment Programme (SPREP), South Pacific Commission (SPC), United Nations Environment Programme (UNEP), 'Environmental Case Studies, South Pacific Study 4' (1989), <<https://www.sprep.org/Factsheets/pdfs/Archive/Pacific%20phosphate%20island%20environments%20versus%20the%20mining%20industry%20an%20unequal%20struggle%204-Reduced.pdf>> [accessed 11.05.2023] (p. 1).

<sup>122</sup> Julia B. Edwards, 'Phosphate mining and the relocation of the Banabans to northern Fiji in 1945: Lessons for climate change-forced displacement', *Journal de la Société des Océanistes*, 138-139(2014), 121-136 (p. 122).

five hundred people<sup>123</sup>, but grew with the expansion of phosphate mining to a population of three thousand; the employment of workers from other Islands, Japan and China resulting in Banabans becoming 'the minority group in their homeland'.<sup>124</sup> The Pacific Phosphate Company (PPC), was granted exclusive rights to occupy and work the island's phosphate deposits. Purchasing plots of land from the owners, the PPC were to return the land and replant wherever possible. However, this was a vacant promise as this type of mining required all plant cover and vegetation to be removed entirely, resulting in over four-fifths of Banaba's surface area being destroyed completely.<sup>125</sup> As also noted by Edwards, the prioritisation of resource extraction and economic trade over indigenous rights and priorities, ensued a loss of traditions and cultural identity with the younger generation encouraged to regard land 'only as a source of income, to be sold to the PPC, rather than of cultural importance'.<sup>126</sup> Using the phrasing in Figure 2, the dispossession of land from the Banaban population, and with it the disconnection to their culture, ensured the control and economic development of the colonial power and PPC.

The UN wrote that as early as 1909 'one third of the total land area had become useless to the Banabans as a result of the phosphate extractions and suggestions were already being made in the Colonial Office in London about the possibility of the Banabans being persuaded to move to another island'.<sup>127</sup> This was actualised during the Japanese occupation, with over one thousand Banabans and Gilbertese relocated to Rabi Island, Fiji.<sup>128</sup> After the war, the British instructed the relocated population that they could not return to their homes due to the demolition caused by the Japanese during the war. However, it was later revealed that this was a significant exaggeration. In actuality, the British had manipulated the Banabans' absence and vulnerability in order to expand phosphate mining, strengthening their authority and economic development, and further dispossessing the Banaban population of their land and culture. The majority of Banaban landowners remain on Rabi Island today, resulting in concerns regarding their landholding, representation under Kiribati government and citizenship rights.<sup>129</sup> This study does not have

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<sup>123</sup> SPREP, p. 11.

<sup>124</sup> Edwards, p. 124.

<sup>125</sup> SPREP, p. 2.

<sup>126</sup> Edwards, p. 124.

<sup>127</sup> UN Department of Decolonisation, p. 12.

<sup>128</sup> Edwards, p. 122.

<sup>129</sup> K. Sigrah and S. King, *Come Meet the Banabans: Our Homeland, Our Past, Our Identity, Our Future: Overview of Banaban Status in Kiribati* (2001), <<https://www.banaban.com/banaba-status-under-kiribati>> [accessed 21.05.2023].

the capacity to explore the Banabans' bid for independence and self-determination, but it poses another interesting example of colonial legacies and the challenge to the right to self-determination.

Writing on economic development in the Pacific, Scott and Browne (1989) note that the independence of Kiribati 'coincided with the exhaustion of the phosphate deposits. As a result, exports fell by [eighty] percent and government revenue and real GDP declined by about one half'.<sup>130</sup> The economic divide between the coloniser and colonised is clear. This vulnerability persists today, with Kiribati categorised as a low-income country by the World Bank and a Least Developing Country and Small Island Developing State by the United Nations.<sup>131</sup> The ILO reports that 'economically, Kiribati faces significant constraints including limited natural resources', arguably connected to colonial extraction and their fully destructive, irreversible methods.<sup>132</sup>

### 3.1.3. Operation Grapple, Christmas Island/Kiritimati

The Gilbert Islands were also greatly impacted by nuclear testing: specifically, thirty-three nuclear detonations in the 1950s and 1960s, codenamed Operation Grapple. Yielding seven hundred and twenty kt, the tests were fifty times more powerful than Hiroshima.<sup>133</sup> As described by Maclellan (2017), Kiribati was treated as a 'nuclear playground'.<sup>134</sup> In the early stages of preparation, the Operation Chief, Air-Vice Marshal Wilfred Oulton, presented the nuclear tests as minor experiments. Archived documents show that Oulton 'told reporters on arriving in Honolulu for a two-day visit that the test will be a series of "small explosions"', asserting that 'there would be "positively no danger," and that fishermen would be

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<sup>130</sup> Douglas A. Scott and Christopher Browne, 'Kiribati' in *Economic Development in Seven Pacific Island Countries* (Washington: International Monetary Fund, 1989), pp. 61-81 (p. 62).

<sup>131</sup> Republic of Kiribati, *Nationally Determined Contribution* (2022), <<https://unfccc.int/sites/default/files/NDC/2023-03/221213%20Kiribati%20NDC%20Web%20Quality.pdf>> [accessed 17.03.2023] (p. 7).

<sup>132</sup> International Labour Organisation, *ILO in Kiribati* <[https://www.ilo.org/suva/countries-covered/kiribati/WCMS\\_634131/lang--en/index.htm](https://www.ilo.org/suva/countries-covered/kiribati/WCMS_634131/lang--en/index.htm)> [accessed: 04.06.2023] (para. 1 of 3).

<sup>133</sup> International Physicians for the Prevention of Nuclear War, Physicians in Social Responsibility (IPPNW), *Kiritimati and Malden, Kiribati: Nuclear weapons test sites*, <<http://www.nuclear-risks.org/en/hibakusha-worldwide/kiritimati-and-malden.html>> [accessed 29.05.2023] (para. 1 of 5).

<sup>134</sup> Nic Maclellan, *Grappling With The Bomb: Britain's Pacific H-Bomb Tests* (Australia: Australian National University Press, 2017), p. 1.

able to resume work in the area immediately'.<sup>135</sup> Brushing off any concern for the experiments and deceptively describing them as inconsequential, encapsulates the British colonial approach to Operation Grapple. In a document concerning radiological safety, the racial prejudice towards the local population is clear: 'The dosage at this level is about [fifteen] times higher (for primitive people) than that which would be permitted by the International Commission on Radiological Protection'.<sup>136</sup> The same report states that 'in the possible regions of fall-out at "GRAPPLE" there may be scantily-clad people in boats to whom the criteria appropriate to primitive peoples should be applied'.<sup>137</sup> Explicitly marking the colonised population as lesser, documents explicitly reveal that no preparation was made concerning the safety of the Gilbertese population: the logic of expendability is clear.

During Grapple Y on 28 April 1958, the three hundred residents of Christmas Island (present-day Kiritimati, marked in green on Figure 3) were put on a naval ship for the duration of the test. Suitupe Kirotoni, a resident who was invited on deck to witness the mushroom cloud, spoke in a later interview, of how all other crew were 'wearing protective clothes, covering their head, faces and bodies.[...] We didn't wear protective clothing— we went on deck wearing our normal clothes'.<sup>138</sup> Later, burns started to appear across the individual's face and their hair started to fall out. Whilst the Duke of Edinburgh was told to not drink any water served to him on a visit to Christmas Island, the local population continued to drink and bathe in the contaminated water, eat fruits and fish from the island, and breathe radioactive dust.<sup>139</sup> In fact, in a briefing to the United Nations in New York, the British mission even stated that no population on the island existed: 'Neither now nor at any time in the past has this desolate atoll had any indigenous population'.<sup>140</sup> Clearly development was prioritised over the protection of the colonised population.

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<sup>135</sup> Ministry of Aviation, 'H Tests Will be Little Bangs - No Danger says Operation Chief', (anonymous, undated), document E75, *Operation Grapple Correspondence DGAW Papers*, 14.05.1956-19.09.1957, British National Archives AVIA65/1211. Please see Appendix A (p. 102).

<sup>136</sup> Colonial Office and Commonwealth Office: Pacific and Indian Ocean Department, 'TOP SECRET - GUARD: Operation "Grapple" Danger Area', 'Levels of Activity Resulting from Fall-Out, (anonymous, undated), document 184, *Nuclear Tests in the Pacific, PAC Part IV, 1957-1959*, British National Archives CO1036/290. Please see Appendix A (p. 90).

<sup>137</sup> Ibid.

<sup>138</sup> Maclellan, p. 252.

<sup>139</sup> Matthew Bolton, 'Addressing Humanitarian and Environmental Harm from Nuclear Weapons Kiritimati (Christmas) and Malden Islands, Republic of Kiribati' (2018) <<https://disarmament.blogs.pace.edu/files/2018/05/Kiritimati-PosObs-Country-Report-15-2ijrzn.pdf>> [accessed 29.05.2023] (p. 2).

<sup>140</sup> Rob Edwards, '300 islanders accuse UK government of exposing them to A-bomb fallout', *Sunday Herald*, 22.10.2006, <[https://www.robedwards.com/2006/10/300\\_islanders\\_a.html](https://www.robedwards.com/2006/10/300_islanders_a.html)> [accessed 12.05.2023] (para 12 of 21).

Radioactivity can still be detected on the island today, with the latest clean-up of radioactive waste conducted by the UK in 2004.<sup>141</sup> Kiribati has signed and ratified the Treaty for the Prohibition of Nuclear Weapons (TPNW), and campaign for its international enforcement and complete nuclear disarmament. As noted by the Ambassador of Kiribati, H.E. Teburoro Tito, to the United Nations First Meeting of States Parties to the TPNW (2022), illnesses including 'cancer, congenital disabilities, and abnormalities with new-born babies' were prevalent on the island in the immediate aftermath of Grapple, and have also been identified within descendants.<sup>142</sup> This was also mentioned in Makurita Baaro's speech as Kiribati's Ambassador (2015) on the 'long-term impacts of the tests', noting the significant increased rates of thyroid cancer.<sup>143</sup> The World Council of Churches (WCC) stakeholder report for the 35th Universal Periodic Review (UPR) (2020), focussed on the 'human rights violations resulting from nuclear testing', after 'no recommendations were made with respect to the on-going impact on human rights of nuclear tests carried by the [United Kingdom] and the [United States of America]' in the UPRs of 2010 and 2015.<sup>144</sup> The report states that as of '2018, the Kiritimati Association of Cancer Patients Affected by the British and American Bomb tests [...] had identified at least 48 first generation survivors in Kiribati who had experienced the tests first hand as well as 800 descendants'.<sup>145</sup> The impacts on mental health, and the environment (including the killing of birds, fish, crabs, wild pigs and the dumping of radioactive waste into the sea near the islands of Kiribati), are detailed by the WCC.<sup>146</sup>

In their attempt for accountability and compensation, the survivors brought a case against the United Kingdom.<sup>147</sup> However, no judgement has been delivered in their favour, with judges deciding that a higher burden of proof is required to show 'specific illnesses were caused by the testing and not by other

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<sup>141</sup> IPPNW, para. 5 of 5.

<sup>142</sup> Teburoro Tito, 'General Statement for the 10th Review Conference of The States Parties to The Treaty on The Non-Proliferation of Nuclear Weapons' (2022), <[https://estatements.unmeetings.org/estatements/14.0447/20220803/HuWNvfl1Tuww/jEPCmvblWeTS\\_en.pdf](https://estatements.unmeetings.org/estatements/14.0447/20220803/HuWNvfl1Tuww/jEPCmvblWeTS_en.pdf)> [accessed 13.05.2023] (p. 2).

<sup>143</sup> Makurita Baaro, 'Statement in informal meeting to mark 2015 Observance of the International Day against Nuclear Tests' (2015) <<http://www.un.org/en/events/againstnucleartestsday/pdf/kiribati.pdf>>, cited in Bolton, pp. 3-4.

<sup>144</sup> World Council of Churches (WCC), '35th session of the UPR, stakeholder report on Kiribati: Human rights violations resulting from Nuclear Testing' (2022) <<https://www.ohchr.org/en/hr-bodies/upr/uprki-stakeholders-info-s35>> [accessed 20.05.2023] (p. 1).

<sup>145</sup> Ibid.

<sup>146</sup> Ibid., p. 2.

<sup>147</sup> Maclellan, pp. 311-322.

factors like genetics, smoking or exposure to other carcinogens'.<sup>148</sup> In Kiribati, as spoken by Ambassador Baaro (2016), 'no studies have been done on the effects of these nuclear tests on our people – we do not have the medical facilities nor the capacity to do this'.<sup>149</sup> International recognition alongside procedural and financial cooperation - particularly from the United Kingdom as the colonial perpetrators - would help provide clarity to and confirmation of these ongoing damages. As Teeua Tetuz, a resident of Kiritimati during the nuclear testing, has said: 'If you hurt someone you should help them, because we are human beings [...]. It should be known by the world, the cruel things that have been done'.<sup>150</sup>

### 3.2. The climate crisis

Kiribati is incredibly vulnerable to the impacts of climate change, including sea level rise, ocean acidification and extreme weather events such as hurricanes, drought, and flooding.

In June 2022, the Government of Kiribati announced a state of emergency in response to a period of prolonged drought. This extreme drought, causing high salinity levels in water sources, has resulted in the increased exposure to water-borne diseases and other illnesses.<sup>151</sup> Drought has also impacted the country's economy through the reduction in agriculture and trade of crops, including the copra plant: one of the main exports of the country.<sup>152</sup> Currently, International Organisations, including Médecins Sans Frontières, have established projects to assist with the national response.<sup>153</sup>

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<sup>148</sup> Bolton, p. 8.

<sup>149</sup> Ministry of Line and Phoenix Islands Development, Republic of Kiribati, 'Line and Phoenix Islands Integrated Development Strategy 2016-2036', 08.2026, HC79.E5.K5L56 2016, <<http://macbio-pacific.info/wp-content/uploads/2018/04/Line-and-Phoenix-Integrated-Strategy-2016-2036.pdf>> [accessed 25.05.2023] (p. 10).

<sup>150</sup> Bolton, p. 8.

<sup>151</sup> Radio New Zealand, 'Kiribati drought at critical stage says UN body' (2022) <<https://www.rnz.co.nz/international/pacific-news/474150/kiribati-drought-at-critical-stage-says-un-body>> [accessed 04.06.2023] (para. 11 of 12).

<sup>152</sup> World Health Organisation, 'Climate and Health Country Profile 2017: Kiribati' (2018) <<https://apps.who.int/iris/handle/10665/260411>> [accessed 04.06.2023] (p. 5).

<sup>153</sup> Médecins Sans Frontières, 'People in Kiribati threatened by climate crisis and multiple health threats' (2023) <<https://www.msf.org/people-kiribati-high-risk-climate-crisis-and-multiple-health-threats>> [accessed 14.06.2023].

In addition, the country's weak infrastructure cannot withstand the increase in extreme weather events, with storms surges, cyclones and floods damaging large parts of the islands. The World Bank reports that without adaptation, wave-driven flooding could make Kiribati, and other atoll islands, 'uninhabitable by mid 21st century'.<sup>154</sup> Today this increase in storm surges, as its current Climate Change Policy outlines, has directly impacted 'food crops and fresh groundwater lenses, and caused loss of land, loss of habitats, increased vulnerability to invasive alien species, physical damage to, or loss of assets, and economic and non-economic impacts for the government and communities'.<sup>155</sup>

As Kiribati is primarily formed of atolls, it is also vulnerable to ocean acidification. In its latest NDC (2022), Kiribati has projected that with the increased acidity and rising sea-surface temperature, live coral reefs will be >25% by 2035 and >50% by 2050.<sup>156</sup> This will particularly impact the marine ecosystems which affects the food sources of the i-Kiribati, specifically, as outlined in the Kiribati Joint Implementation Plan (KJIP), the 'efficiency of culturing seaweed, giant clams, pearl oysters and sea cucumbers'.<sup>157</sup> This will have an additional economic impact as a result of its negative effect on employment and exportation.<sup>158</sup>

As a low-lying island state, with an average elevation of three to four metres above sea level, Kiribati is particularly vulnerable to sea level rise.<sup>159</sup> As the IPCC has projected this year (with very high confidence), under higher emission scenario and without adaptation measures, sea levels will rise at an average of 7-17 cm by 2030 and 38-87 cm by 2090.<sup>160</sup> As confirmed in the KJIP, the sea level around Kiribati is increasing by 1-4 mm per year.<sup>161</sup> The impact of sea level rise is already being felt, such as

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<sup>154</sup> The World Bank Group and Asian Development Bank, 'Climate Risk Country Profile: Kiribati' (2021), <[https://climateknowledgeportal.worldbank.org/sites/default/files/2021-06/15816-WB\\_Kiribati%20Country%20Profile-WEB.pdf](https://climateknowledgeportal.worldbank.org/sites/default/files/2021-06/15816-WB_Kiribati%20Country%20Profile-WEB.pdf)> [accessed 06.04.2023] (p. 12).

<sup>155</sup> Government of Kiribati Office of Te Beretitenti, 'Kiribati Climate Change Policy' (2018), <<https://www.president.gov.ki/presidentgovki/wp-content/uploads/2019/04/Kiribati-Climate-Change-Policy.pdf>> [accessed 04.04.2023] (p. 11).

<sup>156</sup> Government of Kiribati, 'Nationally Determined Contribution (Revised)' (2022), <<https://unfccc.int/sites/default/files/NDC/2023-03/221213%20Kiribati%20NDC%20Web%20Quality.pdf>> [accessed 04.04.2023] (p. 11).

<sup>157</sup> KJIP, p. 32.

<sup>158</sup> Kiribati, 'NDC', p. 11.

<sup>159</sup> World Bank, 'Climate Risk Profile: Kiribati', p. 2.

<sup>160</sup> IPCC, 'Synthesis Report 2023', p. 38.

<sup>161</sup> Government of Kiribati, 'Kiribati Joint Implementation Plan for Climate Change and Disaster Risk Management 2019-2028' (2018) <<https://unfccc.int/sites/default/files/resource/Kiribati-NAP.pdf>> [accessed 23.05.2023] (p. 35).

saltwater intrusion and the rise in sea and air temperatures increasing susceptibility to diseases, as published by the World Health Organisation.<sup>162</sup> The complete inundation of land poses an unprecedented threat, threatening the forced relocation of entire communities. The outer village of Tebunginako, on Abaiang Atoll, has already faced relocation.<sup>163</sup> Scholarly responses to the loss of the entire country and climate statelessness will be briefly explored in the following chapter.

The vulnerability of this small island state is clear. Kiribati sits on the frontline of the climate crisis, yet its contributions to its causation are negligible. Sea level rise, ocean acidification and extreme weather events are, in part, due to the increase in global emissions of greenhouse gases causing the amplification of the greenhouse effect and global warming. In 2023, the IPCC has again emphasised human responsibility for this:

Human activities, principally through emissions of greenhouse gases, have unequivocally caused global warming, with global surface temperature reaching 1.1°C above 1850-1900 in 2011-2020. Global greenhouse gas emissions have continued to increase, with unequal historical and ongoing contributions arising from unsustainable energy use, land use and land-use change, lifestyles and patterns of consumption and production across regions, between and within countries, and among individuals (high confidence).<sup>164</sup>

Whilst affirming the central role played by humans, the IPCC makes clear the global variations and the 'unequal historical and ongoing contributions'. As it reports in its NDC, Kiribati's contribution 'to global warming is insignificant with emissions per capita (approximately 0.6tCO<sub>2</sub>e/capita in 2014) among the lowest in the world'<sup>165</sup>, representing only 0.0002% of global emissions.<sup>166</sup> A report by Hickel for the Lancet Planetary Health (2020) identifies the Global North to be responsible for ninety-two percent of carbon dioxide emissions.<sup>167</sup> Focussing on Kiribati and the United Kingdom (as its former colonial power), the difference in contributions to climate change is clear. Using data from 'Our World in Data', Figures 4 and 5 show the significant gap in responsibility, with carbon dioxide (CO<sub>2</sub>) emissions per capita

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<sup>162</sup> WHO.

<sup>163</sup> Kiribati, 'NDC', p. 11.

<sup>164</sup> IPCC, 'Synthesis Report 2023', p. 4.

<sup>165</sup> Kiribati, 'NDC', p. 3.

<sup>166</sup> Kiribati, 'NDC', p. 5.

<sup>167</sup> Hickel, p. 399.

in 2021 for the United Kingdom recorded at 5.15 tonnes per capita in comparison to Kiribati's 0.56 tonnes per capita.<sup>168</sup> Similarly, greenhouse gas emissions for United Kingdom were recorded to be 420.90 million tonnes in 2021 in comparison to 110,612.21 tonnes for Kiribati.<sup>169</sup> Echoing Hickel's research conclusion, and affirming the conclusions drawn in Chapter 2, such data indicates that 'high-income countries have a greater degree of responsibility for climate damages', with data such as this offering a 'just framework for attributing national responsibility for excess emissions, and a guide for determining national liability for damages related to climate change'.<sup>170</sup> Whilst industrialisation and population size are among many contributing factors in the difference between these two countries, the discrepancy between responsibility and impact cannot be denied.

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<sup>168</sup> Hannah Ritchie, Max Roser and Pablo Rosado, 'CO<sub>2</sub> and Greenhouse Gas Emissions' (2023) <OurWorldInData.org/co2-and-greenhouse-gas-emissions> [accessed 11.07.2023].

<sup>169</sup> Ibid.

<sup>170</sup> Hickel.

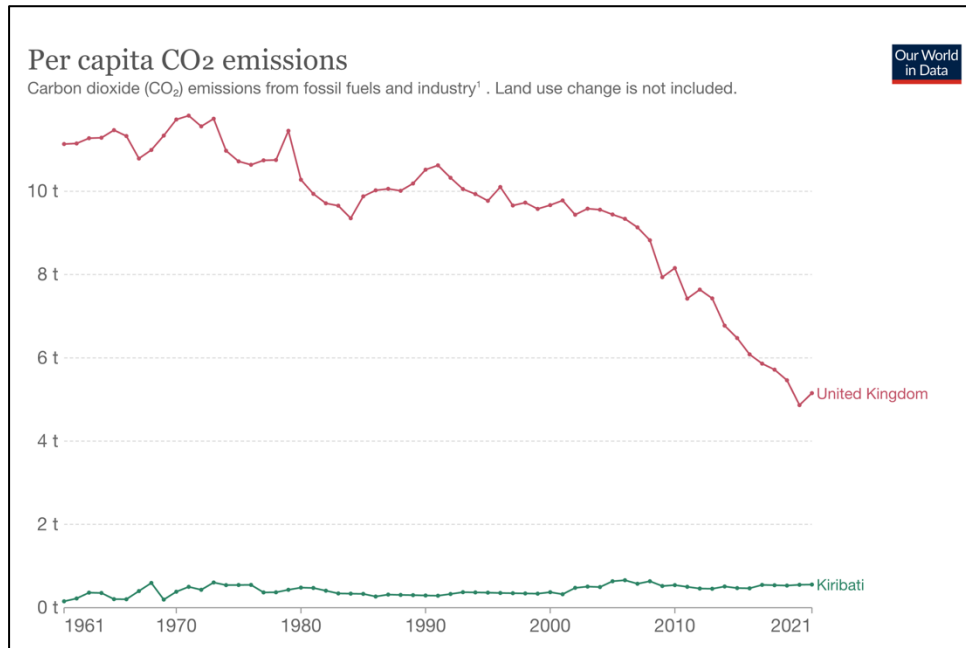


Figure 4. Per capita CO<sub>2</sub> emissions of United Kingdom and Kiribati. Data plotted for 2021: United Kingdom = 5.15 tonnes per capita, Kiribati = 0.56 tonnes per capita. 'Fossil fuel emissions measure the quantity of [CO<sub>2</sub>] emitted from the burning of fossil fuels, and directly from industrial processes such as cement and steel production. Fossil CO<sub>2</sub> includes emissions from coal, gas, flaring, cement, steel, and other industrial processes. Fossil emissions do not include land use change, deforestation, soils, or vegetation'. Source: Our World in Data based on the Global Carbon Project (2023) <OurWorldInData.org/co2-and-greenhouse-gas-emissions> [accessed 01.07.2023].

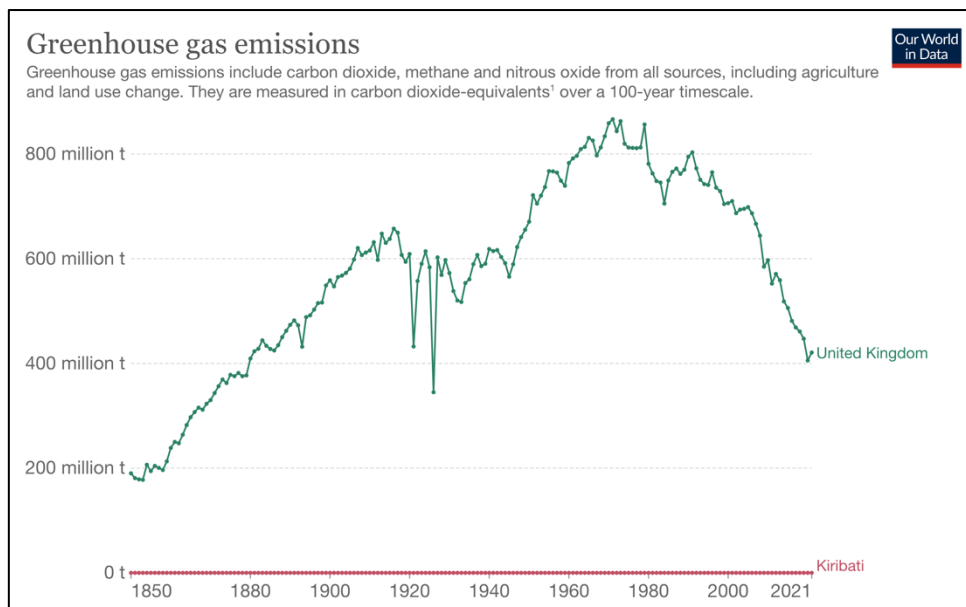


Figure 5. Greenhouse gas emissions of United Kingdom and Kiribati. Data plotted for 2021: United Kingdom = 420.90 million tonnes; Kiribati = 110,612.21 tonnes. 'Carbon dioxide is the most important greenhouse gas, but not the only one. To capture all greenhouse gas emissions, researchers express them in 'carbon dioxide-equivalents' (CO<sub>2</sub>eq). This takes all greenhouse gases into account, not just CO<sub>2</sub>. [...] each [greenhouse gas] is weighted by its global warming potential (GWP) value. GWP measures the amount of warming a gas creates compared to CO<sub>2</sub>. CO<sub>2</sub> is given a GWP value of one.' Source: Calculated by Our World in Data based on emissions data from Jones et al. (2023) <OurWorldInData.org/co2-and-greenhouse-gas-emissions> [accessed 01.07.2023].

### 3.3. Kiribati's climate-colonial nexus

Having provided an overview of both the colonial history and the present climate crisis in Kiribati, this discussion will now turn to the interconnectedness of the two: the climate-colonial nexus. First, the appropriateness of this discussion is exemplified by a statement given to the UN General Assembly by the current President of Kiribati, Taneti Maamau, in September 2022. Here, Maamau perfectly frames this study, drawing similar connections between the past and present:

These challenges and the many others that have caused much human suffering in the past 7 decades all have but one thing in common. They are curated by people in positions of power and influence. Much of these irresponsible, selfish, and heartless behavior are part of what the late Queen Elizabeth II referred to as the darker side of human nature. This darker side harbors negative mindsets and attitudes that give in to greed, hate and the many other vices that breed more bad than good, resulting in conflict, violence across societies and the world at large [...]

Our developmental agenda are grounded on our culture, traditional values and norms, practices and aspirations for the benefit of our people. Yet, they continue to be oppressed by neo-colonial thinking that does not take into account our needs, our priorities, and our national context. A system of “global thinking” that remains steeped with legacies of environmental destruction which our peoples have now inherited, as in the case of the mining of Banaba Island. We must work together to ensure that the solutions and actions to correct these legacies and local watershed moments work hand in hand with actions and solutions for today’s interlocking challenges.<sup>171</sup>

Echoing the discussions of the previous chapter, Maamau identifies power as the connection between decades of human suffering, with oppressive present 'neo-colonial thinking' born from a system of physical and structural destruction. Just as this study has established, present-day climate vulnerability is connected to historical systems of oppression, Maamau confirming such systematisation of colonial authority.

Maamau briefly references phosphate mining on Banaba Island: a very precise, yet strong, example of the physical experiences of the climate-colonial nexus. The Banaban's present vulnerability to climate change has been aggravated by historical acts of oppression. As a specific example, the colonial mining

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<sup>171</sup> Maamau, 'Statement: 77th Session of UN General Assembly 2022', pp. 5-6.

destroyed the island's 'te bangabanga': an underground network of sacred caves used as a stable source of water. This has increased their vulnerability to drought, which, as established, has been exacerbated by the climate crisis, resulting in a national state of disaster. Here, a direct causal link between the colonial phosphate mining and this present-day cross-cutting issue of water access highlights the ongoing legacies of coloniality in the present.

The logic of expendability also lies at the intersection of Kiribati's colonial past and climate present. Yusoff's previously discussed comments on the 'presumed absorbent qualities of black and brown bodies to take up the body burdens of exposure to toxicity' is literally identifiable in the lack of precaution taken during Operation Grapple.<sup>172</sup> Despite such clear indications of a lack of safety, the United Kingdom still refuses to accept the causal link between nuclear testing and present vulnerability. The continued denial from the United Kingdom is repeatedly addressed by Kiribati at an international level, including at the 2022 United Nations High-level plenary meeting commemorating the International Day against Nuclear Tests: 'There is no question that the unresolved nuclear testing legacy issues in the Pacific continue to pose a clear and present danger to the livelihoods of the peoples of the Blue Pacific'.<sup>173</sup> This distinct lack of action arguably extends the colonial logic of, as Rice would term, 'expendability' into the present. The Gilbertese population were used 'as a tool for which benefits of development would eventually derive', quoting the ILO, yet no effort has been taken to reconcile such treatment.<sup>174</sup> As previously raised, no concrete data has been collected on the connection between the destruction caused by nuclear tests and the impact on the environment today. A recent report addressing the nuclear tests in Kiribati by United Nations Association-UK (UNA-UK) and Article 36 (2022), emphasises that these 'tests have had long lasting humanitarian and environmental consequences'.<sup>175</sup> The report states that the 'tests killed thousands of birds and fish. The environmental impact of the nuclear tests has not been adequately analysed', and that recognition, remediation and cooperation should be urgently made by the United Kingdom to

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<sup>172</sup> Yusoff, p. xii.

<sup>173</sup> United Nations, 'High-level plenary meeting to commemorate and promote the International Day against Nuclear Tests - General Assembly: 100th plenary meeting, 76th session' (2022), <<https://media.un.org/en/asset/k14/k14pidmhts>> [accessed 01.05.2023], 01:18:20 - 01:18:37.

<sup>174</sup> ILO, 'The ILO and the Right to Development', p. 6.

<sup>175</sup> United Nations Association - UK (UNA-AK) and Article 36, 'Addressing British Nuclear Tests in Kiribati' (2022), <<https://article36.org/wp-content/uploads/2022/06/Addressing-British-Nuclear-Tests-in-Kiribati-briefing-by-UNA-UK-and-Article-36-June-2022.pdf>> [accessed 01.05.2023] (p. 2).

Kiribati.<sup>176</sup> In spite of the persisting danger, and in response to Kiribati's significant population increase and coastal vulnerability, today people are being encouraged to move to Kiritimati to ease the overcrowding and urbanisation of other islands. With the effects of climate change, most notably the loss of land due to sea level rise, forcing the relocations of communities, their present-day climate vulnerability is exacerbated by their potential exposure to ongoing colonial harm. Whilst Kiribati is left with little to no other options, the role of colonialism in creating this situation, and exacerbating the i-Kiribati vulnerability is clear.

Addressing Kiribati's 'developmental agenda' and the neo-colonial 'system of "global thinking"', another key aspect of climate-coloniality can be raised: the continuation of power through international climate adaptation funding. This is explored by Klepp and Fünfgeld (2022), in their research on the Kiribati Adaptation Project (KAP): a project administered by the World Bank between 2003 and 2018, which received funding from the Global Environment Facility (GEF), the Least Developed Country Fund (LDCF) and the Australian Government.<sup>177</sup> Klepp and Fünfgeld use the KAP as a case study to show how climate adaptation is 'situated within [a] complex knowledge-power relations where select forms of knowledge are prioritized by powerful actors directing adaptation processes'.<sup>178</sup> They explore the prioritisation of Western and Northern knowledge and approaches which resulted in Kiribati institutions having to adapt to external authorities, with access to procedural information (such as grant funding and proposals), 'used by actors to maintain control and ownership over the development agenda'.<sup>179</sup> This is exactly what Maamau insinuates in his emphasis on national plans grounded by i-Kiribati 'culture, traditional values and norms, practices and aspirations for the benefit of [the i-Kiribati] people' apart from the dominating neo-colonial "global thinking". The findings of Klepp and Fünfgeld mirror the power dynamics explored in this study, using the same language and even referencing the legacies of colonialism: 'Adaptation thinking as adjustment privileges positivist and instrumental *Western forms of knowledge*, often with the side-effect of ignoring other forms of knowledge and specific, highly localized forms of *vulnerabilities* – many of which are the result of colonial processes of *dispossession* and *hegemonial power*'.<sup>180</sup> Placed alongside this study, these historical connections referenced by Klepp and

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<sup>176</sup> Ibid., p. 5.

<sup>177</sup> Silja Klepp, and Hartmut Fünfgeld, 'Tackling knowledge and power: an environmental justice perspective on climate change adaptation in Kiribati', *Climate and Development*, 14(2022), 757-769 (p. 760).

<sup>178</sup> Ibid., p. 759.

<sup>179</sup> Ibid., p. 764.

<sup>180</sup> Ibid., p. 766 (Emphasis added).

Fünfgeld gain a much more precise meaning. The localised vulnerabilities and persisting power structures are not only exacerbated through ontological ignorance but also, fundamentally, by the continued physical experiences of colonial destruction and dispossession. Gaining a deeper understanding of this complex web of climate-colonialism only strengthens the relevance of climate justice analyses of, and approaches to, climate adaptation.

### **3.4. Self-determination of the i-Kiribati in the climate-colonial nexus**

#### **3.4.1. Centralising self-determination in the climate-colonial nexus**

First returning to the Covenant's common article codification of self-determination, the i-Kiribati fulfilment of Articles 1.1 (development) and 1.2 (natural wealth and resources) are threatened within the climate-colonial nexus.

Kiribati has confirmed the connection between development and the climate crisis in its recent NDC: 'potential risk of permanent inundation, and land and marine ecosystem degradation link climate change intrinsically with national development in Kiribati'.<sup>181</sup> Today, Kiribati's sustainable development plans and climate response exemplify the restrictions faced by lower-income countries. This is emblematised in their national response to drought emphasising that it is 'not focused on improving infrastructure (pipes, pumps, tanks), it is about *doing what we can with the resources we have*'.<sup>182</sup> Focussing on monitoring, communications and awareness-raising, this island-level capacity exemplifies the country's economic limits. At COP27, Maamau also spoke of this economic struggle: '[t]he cost of maintaining our livelihoods in the face of climate change already exceeds our means, yet it doesn't dampen our resolve to put resources where we can'.<sup>183</sup> Reliant on international funding to protect its population, species and

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<sup>181</sup> Kiribati, 'NDC', p. 5.

<sup>182</sup> Secretariat of the Pacific Regional Environment Programme, 'Drought Management and Response Plan for Abaiang Island Community' (2015), <<https://kiribati-data.sprep.org/system/files/drought-mrp-abaiang-kiribati-summary.pdf>> [accessed 04.06.2023] (p. 3).

<sup>183</sup> Secretariat of the Pacific Regional Environment Programme, 'Meaningful Action to Address Climate Crisis', para. 11 of 11.

land from the onset effects of the climate crisis, the socioeconomic vulnerability clearly intersects with climate vulnerability. As the UNA-UK report confirms:

Despite Kiribati's status as a former British colony and a nuclear weapons test site, little work has been undertaken by the British state to date to address the historic legacies and future challenges facing this country. By region, the Pacific receives the lowest proportion of the UK's bilateral Overseas Development Aid, receiving just 0.4% (£19 million) of the UK's £14.5bn aid spend in 2020.<sup>184</sup>

The UK should acknowledge the colonial damage, providing reparations for historical and ongoing harm. Moreover, extending this to the impacts on the climate present - concerning both the exacerbating effects of colonial action and present-day emissions - the financial responsibility becomes even clearer. This is proposed by Warlenius (2018) in their argument that 'climate debt' lies 'at the very core of climate justice': 'climate change is caused by rich people while mainly harming people that are poor, and therefore, the former should take the burden of mitigation and adaptation costs'.<sup>185</sup> Both the UNA-UK and Warlenius emphasise financial remuneration for Kiribati as essential in addressing the harm caused and with the aim of achieving (climate) justice.

As already established, self-determination is also connected to natural wealth and resources. Clearly, prior to its independence, the Gilbertese were not free to dispose of their resources, resulting in their dispossession and exhaustion. Today, this deprivation can arguably still be identified for the i-Kiribati. As discussed, the effects of the climate crisis are directly impacting the development of natural resources, with onset effects of climate change, including drought and ocean acidification, resulting in the weakening of natural landscapes and the extinction of certain species. Such loss of resources means that, yet again, the i-Kiribati are not free to dispose of them. Viewed within the climate-colonial nexus, the control and authority of the climate-coloniser is maintained as Kiribati continues to face land destruction, resource dispossession and vulnerability.

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<sup>184</sup> UNA-AK and Article 36, p. 10.

<sup>185</sup> Rikard Warlenius, 'Decolonising the Atmosphere: The Climate Justice Movement on Climate Debt, *Journal of Environment & Development*, 27(2018), 131-155 (p. 132).

### 3.4.2. Parallels: campaigns for self-determination and the climate crisis

Centralising self-determination strengthens the identification of the continuities between the past and the present. However, whilst useful in confirming the climate-colonial nexus and its placement at its intersection, human rights have here been centralised solely in terms of their absence or vulnerability, rather than their positive fulfilment. Barnett and Adger (2003) argue that a key weakness for current climate change research is its 'prevailing emphasis [...] on vulnerability' which is 'conducive to a loss of confidence as it focuses on weaknesses and shortcomings rather than inherent strengths and opportunities'.<sup>186</sup> In response to this, this chapter will close with a reframing of the climate-colonial nexus and self-determination, focussing on more positive parallels. Interestingly, there are distinct similarities between the anticolonial campaign for self-determination - as initiated in Chapter 1 - and Kiribati's international appeals for climate action, exemplifying the climate-colonial nexus and placing self-determination in a more positive, active light.

First, both address the powerful states' frequent manipulation and politicisation. At COP27 (2022), Maamau spoke at the high-level plenary, titled 'Together for Implementation':

It has been 30 years since the inception of the UNFCCC, and it is disheartening to see that some continue to use this process to pursue their own political agendas, despite the science, some continue to block ambitious actions that could curb global emissions and develop effective solutions to address climate change impacts.<sup>187</sup>

Maamau's commentary on the politicisation of the climate crisis and the UNFCCC echoes the anticolonial comments on the (East-West) politicisation of the right to self-determination, as exposed, for example, by Du Bois in his letter to Wilson on the hypocrisy of his 'Fourteen Points'.<sup>188</sup> Just as Du Bois reveals the emptiness and lack of real-life application of the politicised self-determination, so too is Kiribati attempting to highlight the emptiness behind manipulated climate negotiations: the focus on the climate crisis must be maintained. Second, Chapter 1 traced the anticolonial emphasis on the unification

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<sup>186</sup> Jon Barnett and W. Neil Adger, 'Climate Dangers and Atoll Countries', *Climatic Change*, 61(2003), 321-337 (p. 330).

<sup>187</sup> Pacific Islands Forum, 'COP27: Critical time for ambition, Kiribati tells world leaders' (2022), <<https://www.forumsec.org/2022/08/19/sample-post-2/>> [accessed 18.06.2023] (para. 2 of 7).

<sup>188</sup> Du Bois, 'Letter from WEB DU Bois to President Woodrow Wilson', p. 1.

of self-determination as outlined by India at the League of Nations stating how 'the principle of Self-Determination alone can solve the great problem of peace'<sup>189</sup> and Nkrumah's labelling of Ghana's independence as 'meaningless unless [...] linked up with a total liberation of the African continent'.<sup>190</sup> Similarly, Kiribati repeatedly emphasises the importance of global unification in response to the climate crisis and the implementation of the Paris Agreement. As Maamau outlined at COP27, 'I appeal to my fellow leaders to stand in solidarity together to protect the future of our people, our young generation. We must be held accountable to our climate finance commitments to save our home. Action begins here and now before it is too late'.<sup>191</sup> The same appeal for collective unity in order for global change is made. Third, the anticolonial description of self-determination as a 'way of life' and 'not a process, [nor] a road'.<sup>192</sup> This portrayal of self-determination parallels the daily reality of climate change for the people of Kiribati. Living on the frontline of the climate crisis, Kiribati is forced to experience and confront the climate crisis daily. Maamau commented on this: 'Climate change is happening, and loss and damage is very real. Yet the major solutions that we talk about remain distant as we are at the mercy of multilateral implementing agencies who continue to determine how we adapt and access financial resources'.<sup>193</sup> The mounting frustration at the delays in climate negotiations and a lack of real action are palpable throughout the climate speeches from Kiribati, with a recurring urgency for the rest of the world to similarly view the climate crisis as our new 'way of life'.

The distinct similarities between these campaigns are clear, marking the importance of resituating the, somewhat lost, logic of anticolonial leaders and the fight for self-determination into the present climate crisis. Moreover, in drawing such parallels, a more positive, dynamic conception of self-determination is brought into discussion. One that focusses on the global *collective unity* for its promotion and protection as a *primary* foundation for all other human rights. Appreciating its *duality* and fulfilment through development, but also its enactment as a *way of life* and not as a politicised component for another goal. Appreciating self-determination as an *epochal* right for decolonisation should be harnessed to respond to today's watershed moment: the climate crisis. This framing of the anticolonial campaign alongside the recent speech from Kiribati at COP27 adds further weight to the centralisation of self-

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<sup>189</sup> Ibid., p. 6.

<sup>190</sup> Nkrumah in Getachew, p. 1.

<sup>191</sup> SPREP, para. 4 of 11.

<sup>192</sup> Manley, 'Self-government is a way of life', p. 133.

<sup>193</sup> Pacific Islands Forum, para. 3 of 7.

determination in a climate justice approach. As anticolonial campaigners described, self-determination is a complex, cross-cutting human right. In our identification of the colonial connections to present-day climate vulnerability, we must consciously resituate their wisdom to respond adequately to the same global power structures today.

## Chapter 4

### Kiribati: Future considerations and climate statelessness

Having established the climate-colonial nexus and the application of decolonial self-determination to the present climate crisis, this study will close with a consideration for the future of Kiribati and climate statelessness. Whilst under the leadership of Tong, Kiribati had purchased land in Fiji as part of a 'migration with dignity' scheme in preparation for the complete loss of land, however, the current i-Kiribati 'people's desire [is] to stay in [their] motherland'<sup>194</sup>, leading to plans of raising their islands.<sup>195</sup> This study does not have the standing to evaluate the shift in national plans, and wishes to respect the current decisions made, however, the possibility of climate statelessness is an unprecedented situation producing innovative academic proposals. As Cataldi (2022) has recently written, '[w]ith regard more specifically to the protection of human rights in the context of sea level rise, it should first be noted that there are no binding instruments concerning this topic'.<sup>196</sup> This overview does not have the capacity to fully explore the legal questions at hand but will provide an outline of key areas of academic discussion. Focussing on the proposal of the deterritorialised state, this concept will be evaluated in relation to self-determination and socio-spatial vulnerability, and indicate, in alignment with the established intersectional climate justice approach, key areas requiring future attention.

#### 4.1. Sea level rise and climate statelessness

In 2023, the IPCC report that the 'average rate of sea level rise was 1.3 [0.6 to 2.1]mm yr<sup>-1</sup> between 1901 and 1971, increasing to 1.9 [0.8 to 2.9] mm yr<sup>-1</sup> between 1971 and 2006, and further increasing to 3.7 [3.2 to 4.2] mm yr<sup>-1</sup> between 2006 and 2018 (high confidence)'.<sup>197</sup> The IPCC emphasises the impact of sea level rise, particularly the accelerated 'loss of ecosystem services' and an increased risk to food

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<sup>194</sup> Kiribati, 'Climate Change Policy', p. 2.

<sup>195</sup> Oliver Milman, "'No safe place": Kiribati seeks donors to raise islands from encroaching seas', *The Guardian*, 18.11.2022 <<https://www.theguardian.com/environment/2022/nov/18/cop27-kiribati-donors-raise-islands-sea-level-rise>> [accessed 11.07.2023].

<sup>196</sup> Giuseppe Cataldi, 'Human Rights of People Living in States Threatened by Climate Change', *QIL*, 91(2022), 51-65 (p. 55).

<sup>197</sup> IPCC, 'Synthesis Report 2023', p. 11.

security.<sup>198</sup> As a low-lying island state, with an average elevation of three to four metres above sea level, Kiribati is particularly vulnerable.<sup>199</sup> As Caleb Ray reports on 'Climate Security in Oceania' (2019), '[w]ith 1.1 meters of sea level rise, two thirds of Kiribati could be underwater. With two meters of sea level rise, Kiribati would be mostly submerged'.<sup>200</sup> The IPCC has also confirmed that even if net negative emissions are met and warming is reversed, 'sea level rise would continue in their current direction for decades to millennia (AR6 WGI Sections 4.6 and 5.6)'.<sup>201</sup> This marks international preparation as paramount.

In its Climate Change Policy, Kiribati states that sea level rise 'poses the greatest threat to the people of Kiribati, given that the atolls are low-lying and the majority of people live on the coast'.<sup>202</sup> In their influential research on climate statelessness, Burkett (2018) writes of the colonial contribution to this very vulnerability as 'colonial authorities “encouraged” the establishment of coastal villages, thus increasing exposure': another clear example of the climate-colonial nexus.<sup>203</sup> Kiribati notes that internal relocation has already begun for impacted coastal areas 'which is problematic given the scarcity of land in general and certain land tenure issues'.<sup>204</sup> This results in overcrowding, with the Security Council recently identifying sea-level rise as a threat multiplier, exacerbating tensions and resulting in security risks.<sup>205</sup> For Kiribati, such risks are amplified by colonial legacies from nuclear testing and phosphate mining, as outlined in Chapter 3. As sea levels continue to rise, it is possible that states will become completely inundated, resulting in forced external relocation of entire populations.

## 4.2 Current academic responses

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<sup>198</sup> IPCC, '2022: WGII', pp. 13, 14.

<sup>199</sup> World Bank, 'Climate Risk Country Profile: Kiribati', p. 2.

<sup>200</sup> Caleb Ray, 'Rejecting Reality: Kiribati's Shifting Climate Change Policies' (2019), <<https://sites.utexas.edu/climatesecurity/2019/12/31/kiribati-policy-shift/>> [accessed 11.07.2023] (para. 5 of 27).

<sup>201</sup> IPCC, '2022: WGII', p. 354.

<sup>202</sup> Kiribati, 'Climate Change Policy', p. 9.

<sup>203</sup> Maxine Burkett, 'Behind the Veil: Climate Migration, Regime Shift, and a New Theory of Justice', *Harvard Civil Rights-Civil Liberties Law Review*, 53(2018), 446-493 (p. 468).

<sup>204</sup> Kiribati, 'Climate Change Policy', p. 9.

<sup>205</sup> United Nations Security Council, 'Climate Change-induced Sea-Level Rise Direct Threat to Millions around World, Secretary-General Tells Security Council', 14.02.2023, SC/15199, <<https://press.un.org/en/2023/sc15199.doc.htm>> [accessed 11.07.2023] (para. 28 of 116).

In the recent Security Council briefing on the threats associated with climate change-induced sea level rise, Secretary-General Antonio Guterres spoke of the 'innovative legal and practical solutions' required to respond to this broad, cross-cutting phenomenon, emphasising that '[p]eople's human rights do not disappear because their homes do'.<sup>206</sup> Indeed, the unprecedented loss of an entire state without a successor is unparalleled, with scholars focussing on different areas of rights protection. Much academic writing addresses the primary protection of citizenship: Di Gianni (2022) emphasises this as the 'legal bond' between population and state.<sup>207</sup> The European Network on Statelessness (2022) extends this, emphasising the role of host states in either ceding territory or granting citizenship.<sup>208</sup> Nine (2010) makes this even clearer, arguing that other states have an obligation to surrender territory in order for the stateless population to maintain their self-determination as a people<sup>209</sup>; a suggestion criticised by some academics, including Ödalen (2014) who deems it 'radical' and 'far-reaching'.<sup>210</sup> Commenting on the socio-spatial threat, bearing a closer resemblance to this study's focus, Campbell emphasises that 'people, land and culture are mutually constitutive', acknowledging how the 'loss and damage will be immense, irretrievable and impossible to compensate for'.<sup>211</sup> Scholars, including McAdam (2010) and Wilcox (2016), emphasise the habitability of land as the marker for climate statelessness, noting that many states will become unliveable before they physically disappear.<sup>212</sup> The array of academic proposals emblematises the complete unprecedented nature of the situation at hand, and the breadth of innovative approaches already taken.

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<sup>206</sup> Ibid., para. 31 of 116.

<sup>207</sup> Francesca Di Gianni, 'Climate change and the risk for "climatic statelessness"' (unpublished doctoral thesis, Radboud Universiteit, 2022), <<https://repository.ubn.ru.nl/bitstream/handle/2066/248489/248489.pdf>> [accessed 11.07.2023], p. 9.

<sup>208</sup> European Network on Statelessness, 'Can international law offer protection to those at risk of climatic statelessness?' (2022), <<https://www.statelessness.eu/updates/blog/can-international-law-offer-protection-those-risk-climatic-statelessness>> [accessed 11.07.2023] (para. 18 of 23).

<sup>209</sup> C. Nine, 'Ecological refugees, states borders, and the Lockean proviso', *Journal of Applied Philosophy*, 27(2010) 359–375, cited in Jörgen Ödalen, 'Underwater self-determination: Sea-level rise and deterritorialised Small Island States', *Ethics, Policy & Environment*, 17(2014), 225-237 (p. 229).

<sup>210</sup> Ödalen, p. 232.

<sup>211</sup> John R. Campbell, 'The implications of climate change for the loss and damage caused by disruption of the essential link between people and their land', <[https://unfccc.int/files/adaptation/groups\\_committees/loss\\_and\\_damage\\_executive\\_committee/application/pdf/1\\_d\\_submission\\_j\\_\\_campbell.pdf](https://unfccc.int/files/adaptation/groups_committees/loss_and_damage_executive_committee/application/pdf/1_d_submission_j__campbell.pdf)> [accessed 11.07.2023] (pp. 2, 5).

<sup>212</sup> Susannah Willcox, 'Climate Change Inundation, Self-Determination, and Atoll Island States', *Human Rights Quarterly*, 38(2016), 1022-1037 (p. 1022).

A recurrent idea in academic discussion is the deterritorialised nation state. This idea mimics that of a wartime government-in-exile with, in the case of Kiribati, the continued functioning of its government from a new state, operating over the i-Kiribati who would be relocated to different countries. Rayfuse (2010) endorses this suggestion, noting that whilst territory is a precondition for Statehood, 'the concept of a deterritorialized state is neither new, nor is it rejected under current international law'.<sup>213</sup> Burkett (2011) similarly proposes the 'ex-situ nation state' which 'favours the continuity and disfavors the extinction of an established state'.<sup>214</sup> Drawing parallels with the structure of the European Union, providing 'tangible benefits/citizenship though not a physically recognised state', Burkett emphasises the importance of a functioning government in the face of climate statelessness.<sup>215</sup> However the durability of this proposition seems questionable. As argued by Willcox (2016), governments-in-exile are 'generally recognized on the basis that they are temporarily in exile from somewhere, and have a territory and population to which they will eventually return'.<sup>216</sup> Whilst not directly responding to Burkett or Rayfuse, Willcox raises an important question on the use of a wartime, and therefore temporary, structure as the foundation for a permanent response to the effects of climate change.

What becomes even more pertinent, is the academics' focus on the survival of the state, rather than centralising the protection of human rights. Both Rayfuse and Burkett prioritise the functioning of government as a prerequisite for the protection of human rights. One does not discount the other, and of course a functioning government is required as a part of our international Human Rights system, however the prioritisation of the state seems unbalanced. This arguably heavy-handed amalgamation of the protection of human rights via the protection of state is also epitomised in the phrasing of Barnett and Adger's (2003) climate research on atolls: the 'physical basis of national sovereignty of the atoll countries (broadly defined as the right to self-determination) is at risk'.<sup>217</sup> As this study has shown, self-determination is much more complex, and a climate justice approach should reflect this.

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<sup>213</sup> Rosemary Rayfuse, 'International Law and Disappearing States: Utilising Maritime Entitlements to Overcome the Statehood Dilemma', *UNSW Law Research Paper*, 52(2010), 1-13 (p. 10).

<sup>214</sup> Maxine Burkett, 'The Nation *Ex-Situ*: On climate change, deterritorialised nationhood and the post-climate era', *Climate Law*, 2(2012), 345-374 (p. 354).

<sup>215</sup> *Ibid.*, p. 357.

<sup>216</sup> Willcox, 'Climate Change Inundation', p. 1035.

<sup>217</sup> Barnett et al., p. 327.

### 4.3. Re-centralising self-determination in the climate-colonial nexus: areas for future study

As has been observed, current academic responses primarily focus on the initial protection of the state in order to protect the population. Linklater (1999) commented on this difference and how 'the international system, built on the sovereign rights of states, frequently struggles to reconcile sovereign rights with human rights, and at present the rights of states are largely upheld, but at the frequent expense of the rights of people'.<sup>218</sup> Therefore, the centralisation of human rights should be paramount in the development of climate statelessness responses, and climate justice more broadly. As this study has shown, the right to self-determination is invaluable in identifying climate vulnerability and responding to the climate-colonial nexus. Therefore, centralising self-determination in responses to climate statelessness could only strengthen the innovative proposals already made.

In light of this research, colonial legacies must also be taken into consideration in order to gain a more thorough understanding and response to future climate vulnerabilities. In their writing on climatic statelessness, Hioureas and Camprubí (2021) echo the identification of a climate-colonial nexus, noting that 'access to territory for these States represented (and may still represent) an expression to their right to self-determination and independence from colonial domination'.<sup>219</sup> This is an essential consideration that is not currently being given enough attention. As noted here, the loss of territory threatens the reversal of decolonisation through the pressure on self-determination. Barnett notes this flaw in climate research more broadly, arguing that 'we have in fact lost meaning because so much of the discussion lacks a real geo-social-political context'.<sup>220</sup> A temporal dimension can be added to this consideration, reflecting the historical root of socio-spatial vulnerability. Resituating climate response within an understanding of

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<sup>218</sup> A. Linklater, 'The Evolving Spheres of International Justice', *International Affairs*, 75(1999), 473-482, cited in Barnett et al., p. 332.

<sup>219</sup> Christina Hioureas, and Alejandra Torres Camprubí, 'Climate, State, and Sovereignty: Self-Determination and Sea Level Rise', *Liechtenstein Institute on Self-Determination, Princeton University, Occasional Paper 2*(2021), 1-10 (p. 2).

<sup>220</sup> Jon Barnett and Michael Webber, 'Migration as Adaptation: Opportunities and Limits' in *Climate Change and Displacement Multidisciplinary Perspectives*, ed. by Jane McAdam (Oxford: Hart Publishing, 2010), cited in Jane McAdam, "'Disappearing States", *Statelessness and the Boundaries of International Law*, *UNSW Law Research Paper*, 2(2010), 1-23 (p. 3).

spatial climate vulnerability as connected to historical oppression will add greater depth, and strengthen our climate justice approach.

As this study has also explored, there is another important physical component to self-determination fulfilled through development and natural resources. However, sea level rise directly threatens their realisation and existence. This vulnerability again directly mirrors the historical dispossession under colonial rule, and therefore sensitive considerations must be made. The current focus on the political fulfilment of self-determination does not give adequate attention to such vulnerabilities.

This study has shown how self-determination is reliant on socio-spatial realisation, and the historical origins of this relationship. The future unprecedented threat to this vital relationship must therefore take a central role in any climate justice response. Interestingly, Burkett emphasises such historical considerations in much of their academic work, writing on climate vulnerability as connected to 'historical and systemic inequality', however these are not maintained fully in their 'ex situ nation state'.<sup>221</sup> To close this discussion, the decolonised self-determination framework will be applied to the idea of the deterritorialised nation state to give a final, more testing, example of how decolonised human rights can actively respond to the climate-colonial nexus.

Focussing on the *collective unity* in the promotion and protection of self-determination, the potential loss of an entire state holds great implications for the rest of the world, reinforcing national positive obligations indicated under General Comment 12; referring to the positive obligations of states for the self-determination of 'all peoples' and 'not only in relation to their own peoples'.<sup>222</sup> In highlighting this, the proactive involvement of states in helping maintain Kiribati's government through the hosting of either the government or members of its population become a clearer obligation. The *primacy* of self-determination indicates self-determination should be of primary consideration in its entirety, and not just in terms of its political fulfilment. Similarly, its *duality* between both political and development is another important consideration. The current focus reveals an imbalance towards the political, and this

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<sup>221</sup> Burkett, 'Behind the Veil', p. 455.

<sup>222</sup> UN Human Rights Committee, 'CCPR General Comment No. 12'.

discrepancy must be addressed: how can the socio-spatial realisation of self-determination be maintained with the physical loss of an entire country? Following this, the *progressive dynamism* of self-determination emphasises the everyday realisation of the right: how will this be protected with the relocation of i-Kiribati to different States? Finally, self-determination as an *epochal* human right. Indeed, the threat to a state's physical existence is itself a watershed moment calling for fundamentally innovative responses. However, it is the *epochal* independence of Kiribati and the self-determination of the i-Kiribati that must be prioritised within the climate-colonial nexus.

## Conclusion

In recognising the interconnectedness of colonial legacies within the climate crisis, climate justice must address this relationship directly. This thesis aimed to deepen an understanding of the climate-colonial nexus, initiating a climate justice approach that centralises self-determination in its response to climate-colonial vulnerability.

Through a detailed chronological review of the narrative and conceptual development of self-determination, the first chapter sought to decolonise the right to self-determination. Looking at Du Bois, Rai, Garvey, Nkrumah, Azikiwe, and Manley alongside the international textual development within newly formed international organisations, anticolonial leaders were shown to be heavily influential. This is by no means an exhaustive list of contributors, but an indication of the broader, global history of the right to self-determination. A proposed decolonial framework of self-determination was proposed to be taken forward, focussing on five important facets: *collective unity* of self-determination, its *primacy* as a human right, its *duality* between political and development, the everyday enactment - or *progressive dynamism* - and, finally, self-determination as an *epochal* moment.

The second chapter began with the work of Edward Said to initiate a decolonial approach to the global divide and Eurocentric power. Said's Orient/Occident paradigm as a 'system of ideas that can remain unchanged' was endorsed by the study's tracing of such ideas into the climate present.<sup>223</sup> Development was identified as a key thread between the colonial past and climate-colonial present, and also in connecting this paradigm to the right to self-determination. The complexity of our climate-colonial present highlighted the weaknesses in the codification of self-determination, in its accompaniment to - rather than direct prevention of - colonial continuities. Applying the decolonised logic of self-determination proved a more nuanced application of self-determination in the climate-colonial nexus.

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<sup>223</sup> Said, p. 6.

This discussion was then applied to the case study of Kiribati, a former British colony. Colonial exploitation was shown to intersect with Kiribati's present climate vulnerability. The reality of the climate-colonial nexus proposed in Chapter 2 was actualised here, a paradigm that has also been noted by the country's former and current President. The connection between colonial reparations and climate finance was suggested, emphasising economic responsibility of the global North. The focus on the threat to self-determination was again explored, further highlighting this human right as inextricably connected to the climate-colonial nexus. Moving away from a climate-vulnerability focus, the comparison between anticolonial campaigns as explored in Chapter 1 and Kiribati's current climate appeals highlighted the centrality of self-determination, but now not just in terms of climate-colonial vulnerability, but in its active promotion.

Finally, having focussed on the legacies of the past within the present, the thesis turned to the future and climate statelessness. As a palpable threat to the i-Kiribati population, this unprecedented topic was approached to challenge the developed self-determination framework. Reflecting on the decolonial nuances of self-determination and its centralisation in the climate-colonial nexus, weaknesses in current academic responses to climate statelessness were revealed, and suggestions for future studies were made focussing on attention to socio-spatial vulnerability and the centralisation of human rights, not state rights.

The Human Rights Council (2019) emphasises that climate change is 'an extraordinary challenge demand[ing] an extraordinary response. It cannot be dealt with solely through traditional approaches'.<sup>224</sup> Indeed, this has been a consciously ambitious study aiming to incorporate vast intersecting and interdependent fields. As such, the discussion has remained largely at a more conceptual, global level. This study by no means aims to provide a "one-size-fits-all" response to climate-colonial vulnerability, however, due to the enormity of the fields undertaken and the scope of a Master's thesis, the study has remained on an inter-country, rather than intra-country, level. Climate vulnerability intersects with other vulnerabilities - such as gender, age, and disabilities - and given the limited scope of this thesis, these

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<sup>224</sup> UN Human Rights Council, 'Climate change and poverty: Report of the Special Rapporteur on extreme poverty and human rights', 16.07.2019, A/HRC/41/39, <<https://documents-dds-ny.un.org/doc/UNDOC/GEN/G19/218/66/PDF/G1921866.pdf?OpenElement>> [accessed 09.06.2023] (p. 14).

important considerations could not be fully explored. Intersectionality within countries is a key area for future research on the climate-colonial nexus. The example of Kiribati has been used to give an acute example of the dynamism of colonial legacies on the climate present, and the extreme possibilities for the climate future. However, its discussions can be translated to climate-coloniality more broadly.

This study has four salient points. First, the nuances that can be deduced from decolonising human rights. Directly addressing the global North monopoly on human rights discourse acknowledges the knowledge-power dynamic and allows for arguments and approaches to resurface, strengthening our interpretation and application of the human rights system today. Second, the deep connection between colonial authority-climate authority, and colonial vulnerability-climate vulnerability. This dynamic nexus uncomfortably draws colonial destruction directly into the present, yet is key to strengthening our approach to climate-vulnerability. Third, the parallels between anticolonial campaigns for self-determination and current international climate negotiations. The creative potential of actively connecting anticolonial movements and climate negotiations helps construct an environmental justice framework focussing on positive protection and promotion, and not just the centralisation of vulnerability. Fourth, and most importantly, the importance of self-determination in the climate-colonial nexus. The complex socio-spatiality of this human right has been shown to firmly connect it with both colonialism and the climate crisis. As this study has established, self-determination must be centralised in climate justice approaches in order for the climate-colonial nexus to be comprehensively addressed. Importantly, these conclusions for climate justice should now be used to frame climate(-colonial) dialogues, mitigation and adaptation, particularly in relation to former colonies.

It must be restated: this is a timely study. The *everyday reality* of the climate crisis for the climate-(colonial) vulnerable, with the ever-increasing urgency for *collective* action to be a *primary* concern at international negotiations. As a cross-cutting issue, the climate-colonial crisis requires a dynamic response to reflect its *duality*, particularly, as outlined at the Bonn Conference (2023), 'climate finance, notably the provision of adequate and predictable financial support to developing countries for climate action'.<sup>225</sup> Moreover, the actualisation of loss and damage funds will be paramount in addressing the

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<sup>225</sup> United Nations Framework Convention on Climate Change (UNFCCC), 'Bonn Climate Conference Closes With Progress on Key Issues, Laying Groundwork for COP28', *UN Climate Press Release*, 15.06.2023,

global divide between climate responsibility and effect. To emphasise, this is an *epochal* moment in global history: the actions we take now will determine whether we limit global warming to 1.5°C degrees above pre-industrial levels and prevent catastrophic climate impacts for all, and particularly for the climate(-colonial) vulnerable.

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<<https://unfccc.int/news/bonn-climate-conference-closes-with-progress-on-key-issues-laying-groundwork-for-cop28>>  
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## Appendix A

### Archived Documents: Operation Grapple

Selection of seventeen photographs of documents taken during research visit to The National Archives (Richmond, United Kingdom). Images selected reference: civilian population, safety precautions, publicity of experiments, predicted and recorded dangers. Images ordered chronologically by year.

#### Full list of documents consulted:

DEFE 71/1571: Operation Grapple 'Y'

AIR 20/12005: Operation GRAPPLE: radiological safety precautions

AIR 20/10819: Operation GRAPPLE: water supply

DEFE 71/1568: Operation Grapple: policy

AVIA 65/1211: Operation Grapple: correspondence

AIR 20/10356: Operation GRAPPLE: disbandment and withdrawal

AIR 20/10817: Operation GRAPPLE: sampling operations; special equipment. Includes 1 photograph depicting: Operation Grapple 'Y': air sampling equipment inside cabin of Canberra B6 aircraft to test efficiency of cabin air filtration system. Dated 1958.

DEFE 71/908: Operation Grapple: nuclear testing programme

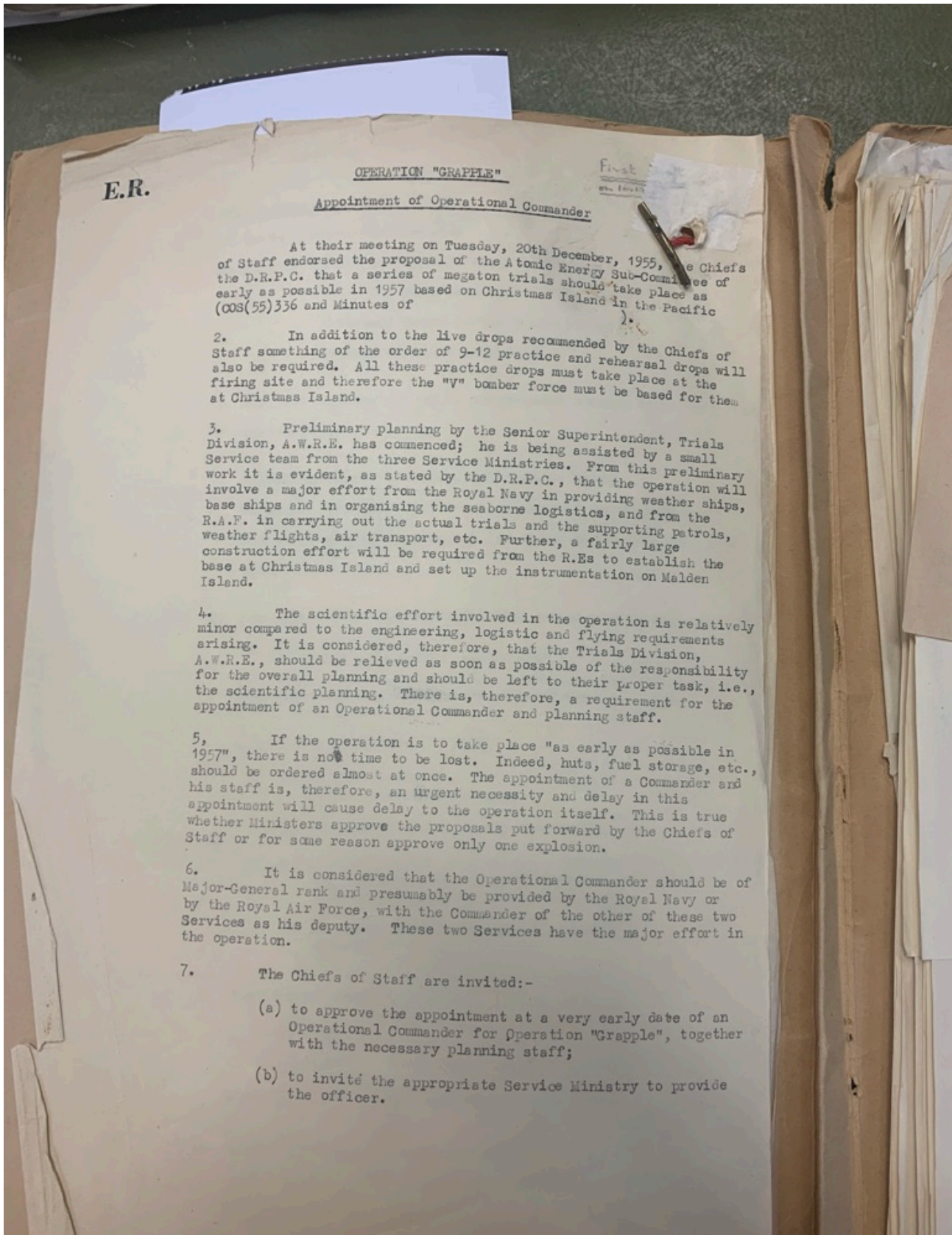
AIR 20/10409: Operation GRAPPLE: GRAPPLE procedures handbook (typescript)

AVIA 65/1185: Operation Grapple: agenda and minutes

AIR 20/10816: Operation GRAPPLE: sampling operations

AIR 14/4041: Operation GRAPPLE Z : Command instructions

CO1036/280: UK nuclear tests in Pacific (Operation Grapple)



E.R.

OPERATION "GRAPPLE"

Appointment of Operational Commander

At their meeting on Tuesday, 20th December, 1955, the Chiefs of Staff endorsed the proposal of the Atomic Energy Sub-Committee of the D.R.P.C. that a series of megaton trials should take place as early as possible in 1957 based on Christmas Island in the Pacific (COS(55)336 and Minutes of

2. In addition to the live drops recommended by the Chiefs of Staff something of the order of 9-12 practice and rehearsal drops will also be required. All these practice drops must take place at the firing site and therefore the "V" bomber force must be based for them at Christmas Island.
3. Preliminary planning by the Senior Superintendent, Trials Division, A.W.R.E. has commenced; he is being assisted by a small Service team from the three Service Ministries. From this preliminary work it is evident, as stated by the D.R.P.C., that the operation will involve a major effort from the Royal Navy in providing weather ships, base ships and in organising the seaborne logistics, and from the R.A.F. in carrying out the actual trials and the supporting patrols, weather flights, air transport, etc. Further, a fairly large construction effort will be required from the R.E.s to establish the base at Christmas Island and set up the instrumentation on Malden Island.
4. The scientific effort involved in the operation is relatively minor compared to the engineering, logistic and flying requirements arising. It is considered, therefore, that the Trials Division, A.W.R.E., should be relieved as soon as possible of the responsibility for the overall planning and should be left to their proper task, i.e., the scientific planning. There is, therefore, a requirement for the appointment of an Operational Commander and planning staff.
5. If the operation is to take place "as early as possible in 1957", there is no time to be lost. Indeed, huts, fuel storage, etc., should be ordered almost at once. The appointment of a Commander and his staff is, therefore, an urgent necessity and delay in this appointment will cause delay to the operation itself. This is true whether Ministers approve the proposals put forward by the Chiefs of Staff or for some reason approve only one explosion.
6. It is considered that the Operational Commander should be of Major-General rank and presumably be provided by the Royal Navy or by the Royal Air Force, with the Commander of the other of these two Services as his deputy. These two Services have the major effort in the operation.
7. The Chiefs of Staff are invited:-
  - (a) to approve the appointment at a very early date of an Operational Commander for Operation "Grapple", together with the necessary planning staff;
  - (b) to invite the appropriate Service Ministry to provide the officer.

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OPERATION "GRAPPLE"

DANGER AREA

LEVELS OF ACTIVITY RESULTING FROM FALL-OUT

1. In U.K. atomic trials, use has been made of several definitions of levels of radioactivity resulting from fall-out. Amongst them is a level B defined as:-

"The level at which a small temporary but observable physiological effect would be produced in a small fraction (less than 1%) of a population exposed to it".

2. For civilized populations, assumed to wear boots and clothing, and to wash, the amount of activity necessary to produce this dosage is more than that necessary to give an equivalent dosage to primitive peoples who are assumed not to possess these habits. For such peoples the corresponding level of activity is called level B'. It is assumed that in the possible regions of fall-out at "GRAPPLE" there may be scantily-clad people in boats to whom the criteria appropriate to primitive peoples should be applied.

3. It is desirable that the declared Danger Area should at least enclose the whole region in which there is a possibility that level B' may be produced. The dosage at this level is about 15 times higher (for primitive people) than that which would be permitted by the International Commission on Radiological Protection. The Danger Area is defined in relation to a possible accidental surface burst, which is believed to be very unlikely. If the bursts occur at the planned heights the danger from fall-out is negligible. A Danger Area sufficiently large to conform to the I.C.R.P. criteria in the case of an accident would be a large multiple of the American area. Although the numerical value of the potential hazard at the boundary of the Danger Area would presumably never be publicly declared, it appears defensible to use the term 'Danger' only for levels of exposure above B'.

PROPOSAL FOR DECLARATION OF DANGER AREA

4. Both Christmas and Malden Islands are regarded as sites at which an accidental ground burst may occur, and therefore the potential areas of fall-out to any given level of activity, assuming no limitations on mean wind directions, are circles centred on these two points. These circles are of 400 n.m. radius, being the estimated representative downwind distance for level B' for 150 KT. The area enclosed by one such circle is about 500,000 nautical square miles and for the two circles greater than 750,000 nautical square miles. Such an area is patently too large and has been reduced to conform to the following basic principles:-

(a) Populated islands (other than Christmas and Malden) must not be included.

(b) Boundaries should preferably be lines of latitude and longitude for ease of reference.

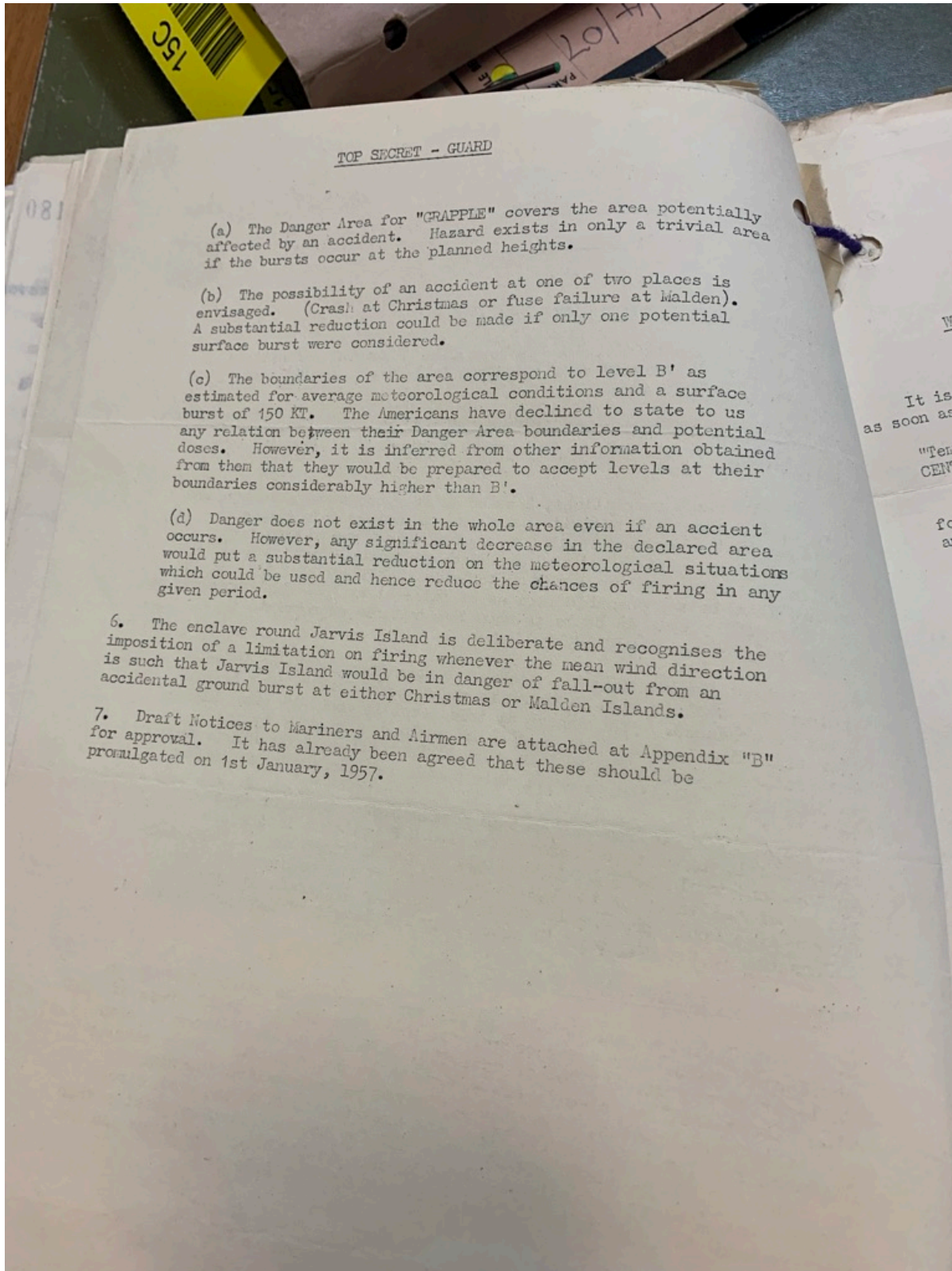
(c) The total area should not greatly exceed that of the U.S. Danger Area.

5. The proposed Danger Area is shown at Appendix "A". Its area is about 490,000 nautical square miles as compared with the declared U.S. area of 377,500 nautical square miles. In comparing the two, the following points are relevant:-

...../ 5(a)

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(a) The Danger Area for "GRAPPLE" covers the area potentially affected by an accident. Hazard exists in only a trivial area if the bursts occur at the planned heights.

(b) The possibility of an accident at one of two places is envisaged. (Crash at Christmas or fuse failure at Malden). A substantial reduction could be made if only one potential surface burst were considered.

(c) The boundaries of the area correspond to level B' as estimated for average meteorological conditions and a surface burst of 150 KT. The Americans have declined to state to us any relation between their Danger Area boundaries and potential doses. However, it is inferred from other information obtained from them that they would be prepared to accept levels at their boundaries considerably higher than B'.

(d) Danger does not exist in the whole area even if an accident occurs. However, any significant decrease in the declared area would put a substantial reduction on the meteorological situations which could be used and hence reduce the chances of firing in any given period.

6. The enclave round Jarvis Island is deliberate and recognises the imposition of a limitation on firing whenever the mean wind direction is such that Jarvis Island would be in danger of fall-out from an accidental ground burst at either Christmas or Malden Islands.

7. Draft Notices to Mariners and Airmen are attached at Appendix "B" for approval. It has already been agreed that these should be promulgated on 1st January, 1957.

DRAFT AND RECORD COPY

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231

REGISTERED No.

121  
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SF.12/6  
TSC/PAC

LETTER SENT

DATE

SECRET

5th October, 1956

(404)

Thank you for your letter of the 10th September about discussions which you had with Colonel Woollett and Wing Commander Bower on the question of evacuating the civilians from Christmas Island.

I am sorry that paragraph 3 of my letter of the 17th February was ambiguous. I had meant to imply that there were two alternatives -

- (a) to move them to a safe place on the island, which was the procedure which the military authorities were proposing to adopt, or
- (b) to evacuate all civilians. 5

This was meant to apply to civilians only.

I have consulted the experts again and have received an interim reply to the effect that they are still trying to assess the degree of risk involved, if any, so that they can put forward a firm proposal.

At the same time I asked them for their views on the telegram received from the Naval Officer in Charge, North Eastern Area, Manus Island, which you enclosed with your savingram No.444 of the 31st August. I have been told that this has been examined by "Grapple" experts and the opinion is that the signal was a coincidence. They suggest that no further action is necessary.

/We

John Gutch, Esq., C.M.G., O.B.E.,  
Government House,  
Honiara, B.S.I.P.

490 46

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FROM FOREIGN OFFICE TO HONOLULU

Code R. and by Bag

DEPARTMENTAL DISTRIBUTION

No. 2

January 7, 1957

D.L. 45 p.m. January 7, 1957

RESTRICTED

Addressed to Honolulu telegram No. 2 of January 7.  
Repeated for information Saving to Washington No. 65.

My immediately preceding telegram. [Nuclear tests].

If questioned by the local population about possible risks from our nuclear tests this year, you should reply in accordance with the text in paragraph 2 below. Please communicate it also to the Governor for his use if questioned.

2. When announcing last June Her Majesty's Government's intention to hold trials of megaton weapons in 1957, Sir Anthony Eden said that the explosions would take place far from any inhabited island and that the tests would be so arranged as to avoid danger to persons or property. The tests would be high air bursts which would not involve heavy fall-out. All safety precautions would be taken in the light of the Government's knowledge and of experience gained from the tests of other countries. Since then, detailed plans for the Operation have been made with this as their basis and these assurances can be categorically reaffirmed. There is no question of Hawaii being in the slightest danger. Firing will not take place under any conditions in which inhabited islands might be affected by radioactive material.

DISTRIBUTED TO:

P.U.S.D. Department (A.E. Section)  
American Department.

RESTRICTED

FROM FOREIGN OFFICE TO NOUMEA

Code

DEPARTMENTAL  
DISTRIBUTION

No. 2  
January 7, 1957.

D. 5.40 p. m. January 7, 1957.

RESTRICTED

My telegram No. 1 to Honolulu [Nuclear tests].

Please communicate to the French Governor (who may have already received it direct) the text in paragraph 2 below which he may find useful in answering any questions by the local population about possible risks from our nuclear tests this year. You should reply similarly if questioned yourself.

2. When announcing last June Her Majesty's Government's intention to hold trials of megaton weapons in 1957, Sir Anthony Eden said that the explosions would take place far from any inhabited island and that the tests would be so arranged as to avoid danger to persons or property. The tests would be high air bursts which would not involve heavy fall-out. All safety precautions would be taken in the light of the Government's knowledge and of experience gained from the tests of other countries. Since then, detailed plans for the Operation have been made with this as their basis and these assurances can be categorically reaffirmed. There is no question of New Caledonia being in the slightest danger. Firing will not take place under any conditions in which inhabited islands might be affected by radioactive material.

DISTRIBUTED TO:-

P. U. S. D. (A. E. Section)  
American Department

SSSSS

Copy of Circular Note to  
Foreign Missions



Mr Hall C.O.

50

53

No. ZB 212/131G

FOREIGN OFFICE, S.W.1.

January 7, 1957.

Your

I have the honour to refer to the announcement by the Prime Minister on the 7th of June, 1956, that Her Majesty's Government intend to carry out a series of nuclear tests in the megaton range during the first half of 1957.

Her Majesty's Government hereby give public warning that the following defined area should be considered dangerous to shipping and aircraft from the 1st of March to the 1st of August, 1957. The boundaries of this dangerous area are as follows:-

- (a) 08 30' South, 161 30' West
- (b) 08 30' South, 148 30' West

/(c)

For any claims which S.P.A.L. may make arising out of this withdrawal of permission. Her Majesty's Government accept as at present advised...

- (c) 00 00' Equator 148 30' West
- (d) 00 00' Equator 150 30' West
- (e) 07 00' North 150 30' West
- (f) 07 00' North 153 00' West
- (g) 03 30' North 158 00' West
- (h) 03 30' North 164 00' West
- (j) 00 00' Equator 164 00' West
- (k) 00 00' Equator 159 00' West
- (l) 02 30' South 159 00' West
- (m) 02 30' South 161 30' West.

Should it be necessary to extend the limits of this area or the period during which it is dangerous, early warning will be given. Her Majesty's Government will take full precautions to ensure against the incidence of injury to human life or to property within the danger area. It is not anticipated that there will be any such hazards outside the danger area.

/Information

...the United States Government of liability  
for any claims which S.P.A.L. may make arising out of this  
withdrawal of permission. Her Majesty's Government  
as at present advised.

CONFIDENTIAL

OF THE  
PERMANENT UNDER SECRETARY'S

DEPARTMENT Confidential Information for the U.S. Government.

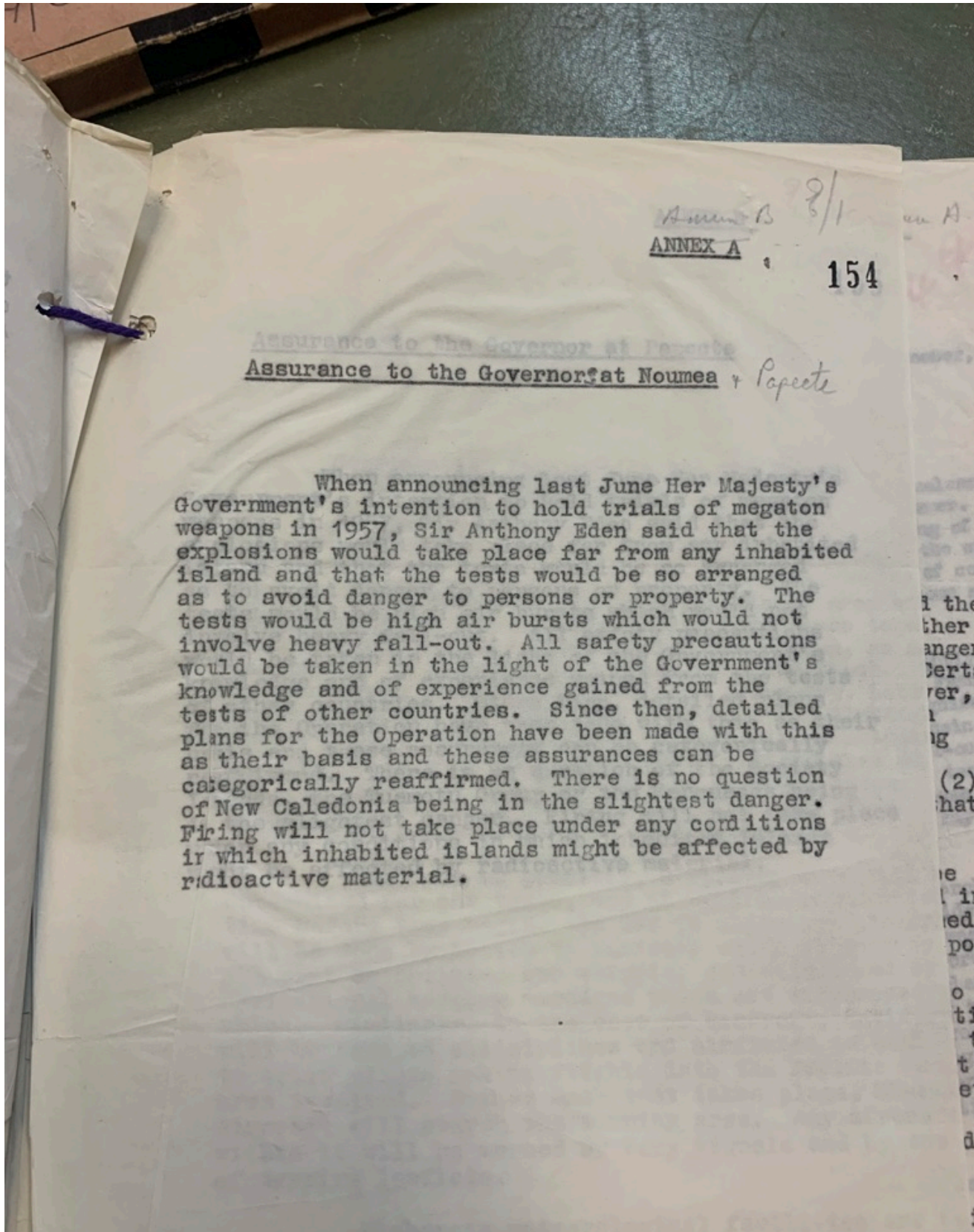
ATOMIC ENERGY SECTION

The remoteness of the operational area and the height at which the explosions will take place together ensure that, as the Prime Minister has stated, no danger to persons or property will arise from the tests. Certain precautionary measures as described below are, however, being taken and have two main objects. (1) Although the area in question includes no main air or shipping routes, it is necessary to be quite certain that no aircraft or ships are in it at the material times. (2) They will enable it to be demonstrated after the tests, that no radioactive contamination in fact exists.

As soon as possible, a warning area will be determined for the tests, and it will be promulgated in good time before they begin. As far as ships are concerned this will be done by Notice to Mariners which is sent by post to all port authorities and shipping companies, and by navigational warning messages which are wirelessly to all ships. Similarly, in the case of aircraft, notification will be sent to all airlines and airfields to enable them to brief pilots making flights into the Pacific about the area involved. Before each test takes place, Shackleton aircraft will search the warning area. Any aircraft or ships within it will be warned by Very signals and by the dropping of warning leaflets.

Elaborate meteorological facilities are being provided to ensure that the tests are not made on any occasion when the wind might carry contamination near an inhabited area. High level weather stations and weather ships and meteorological reconnaissance flights by Shackleton and Canberra aircraft will provide a continuous flow of information.

When the tests have taken place samples of air will be taken, by arrangement with the authorities concerned, at Christmas Island, Canton Island, Penrhyn Island, Samoa, Tahiti, Fiji, New Caledonia, Adelaide, Brisbane and, it is hoped, the Tuamotu Group, to confirm that no contamination has in fact taken place. Samples of sea water will be taken with the same purpose.



Annex B 8/1  
ANNEX A  
154

Assurance to the Governor at Noumea + Papeete

When announcing last June Her Majesty's Government's intention to hold trials of megaton weapons in 1957, Sir Anthony Eden said that the explosions would take place far from any inhabited island and that the tests would be so arranged as to avoid danger to persons or property. The tests would be high air bursts which would not involve heavy fall-out. All safety precautions would be taken in the light of the Government's knowledge and of experience gained from the tests of other countries. Since then, detailed plans for the Operation have been made with this as their basis and these assurances can be categorically reaffirmed. There is no question of New Caledonia being in the slightest danger. Firing will not take place under any conditions in which inhabited islands might be affected by radioactive material.

CO1036/280 (1957). Document no. 154. The National Archives. Visit: 21.06.2023.

From: Mr. E. S. Jackson, C.B., Director-General of Atomic Weapons

AB/133/051

SECRET

RY/204/03 E. 82/4

MUSEum 3644  
1387

Room 681,  
St. Giles Court,  
1-13 St. Giles High Street,  
LONDON, W.C.2.

5th April, 1957.

Dear

I think you will probably have gathered from the newspapers that H.M.G. has been under considerable political bombardment in recent days about Operation Grapple and although, as I say, the newspaper reports will have given you a fair indication of the line that has been taken I think you might find it helpful to have a brief note of the attitude we are adopting.

There have been a large number of Parliamentary Questions in recent days, most of them concerned with the dangers of nuclear tests and mentioning in particular the danger of contamination of fish and of an increase in pollution of the atmosphere, especially by Strontium 90. On fish, Ministers have generally taken the line that in the circumstances envisaged for the Operation there should be no contamination of fish. There are two glosses on this which are not apparent from the replies given in the House of Commons but the significance of which you will appreciate. The first is that, although A.W.R.E. are reasonably confident about what may happen if the bursts go as planned, they have been averse to making a positive statement about the situation in the remote event of a surface burst. Secondly, in these public announcements we are taking "contamination" to mean something significant - that is something more than the small increase in radioactivity which must result from any test and which is insignificant compared with the radioactivity which accrues from natural sources. As far as we can tell the answers given have satisfied all but those who are determined not to be satisfied. On the wider issues of increase in radioactivity Ministers have relied on the Report of the Medical Research Council of June 1956 and have resisted suggestions that this Report was misleading or is out of date.

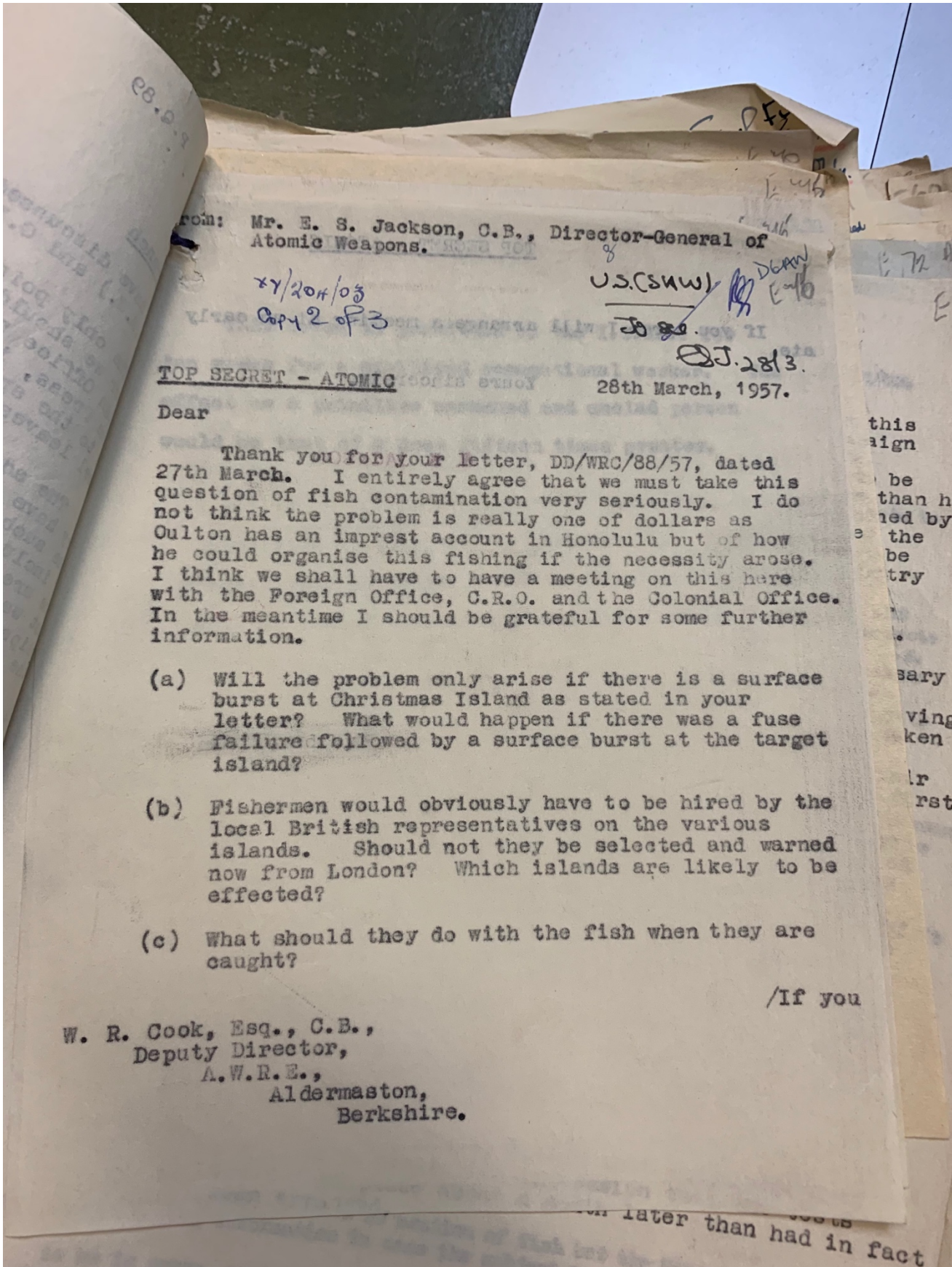
Secondly, as you will probably have gathered, we have been under heavy pressure from the Japanese. It seems very likely that the agitation in Japan is in part at least a manufactured one and that the Japanese Government are forced to pursue us vigorously not so much because they think this agitation fully justified as to avoid criticism at home. The theme of our replies to the Japanese has been:

- (a) That Japan itself is some 4,000 miles from the test area and is in no danger at all.
- (b) That we have declared and given full publicity to the "danger area" and that if fishermen and others give heed to this warning they also will be in no danger.
- (c) On fish we have taken the line described above.
- (d) We have rejected a request that the Japanese Government should be given advance notice of explosions, but have pointed out that a public announcement will be made after each one.

/(e) We are

Air Vice Marshal W. E. Oulton, C.B.E., D.S.O., D.F.C.,  
Commander Task Force Grapple,  
British Forces Post Office 170.

SECRET



From: Mr. E. S. Jackson, C.B., Director-General of Atomic Weapons.

27/204/03  
Copy 2 of 3

U.S. (SNW)

Derry  
Emb

28th March 1957

J.2813

TOP SECRET - ATOMIC

28th March, 1957.

Dear

Thank you for your letter, DD/WRC/88/57, dated 27th March. I entirely agree that we must take this question of fish contamination very seriously. I do not think the problem is really one of dollars as Oulton has an imprest account in Honolulu but of how he could organise this fishing if the necessity arose. I think we shall have to have a meeting on this here with the Foreign Office, C.R.O. and the Colonial Office. In the meantime I should be grateful for some further information.

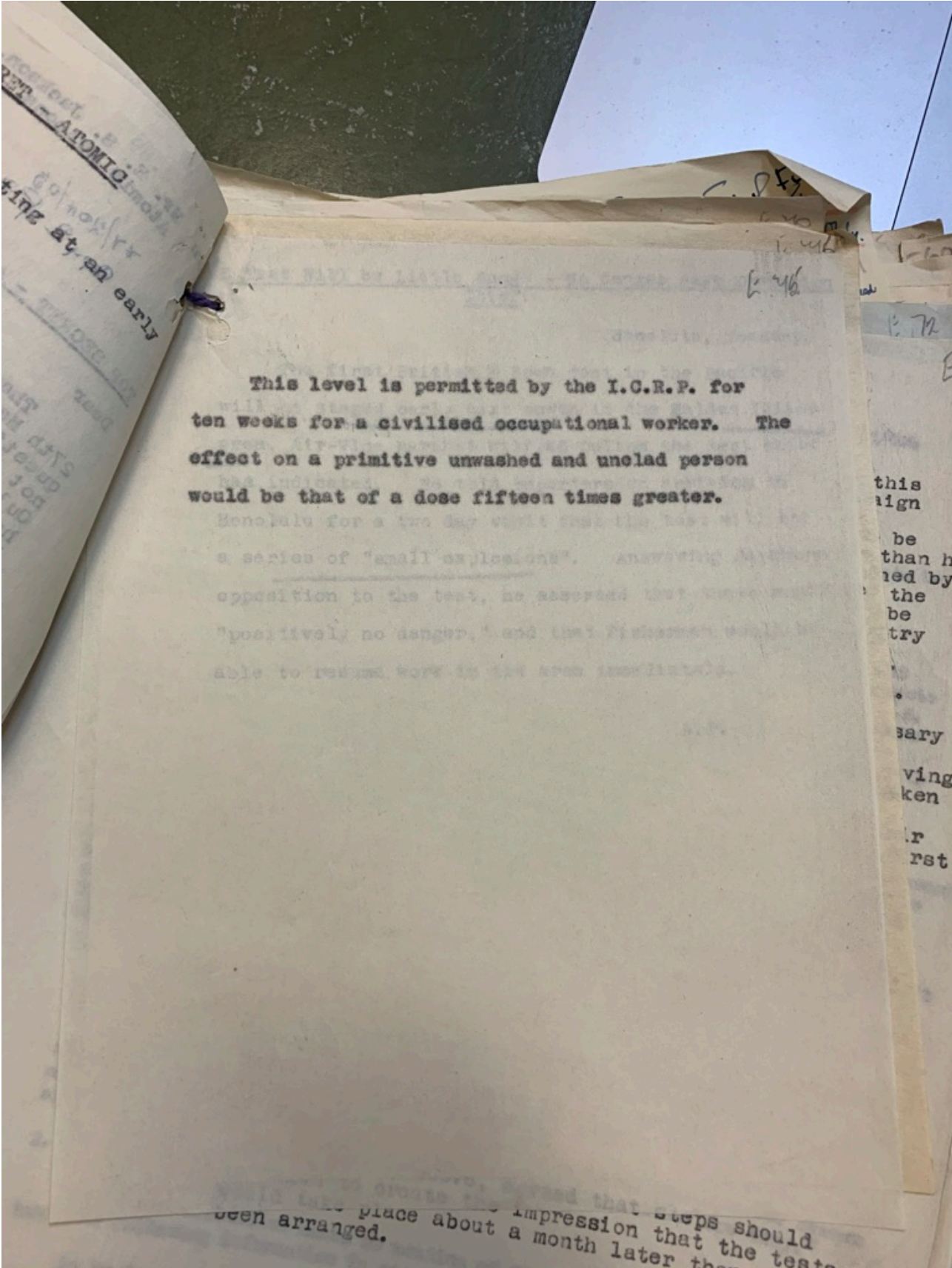
- (a) Will the problem only arise if there is a surface burst at Christmas Island as stated in your letter? What would happen if there was a fuse failure followed by a surface burst at the target island?
- (b) Fishermen would obviously have to be hired by the local British representatives on the various islands. Should not they be selected and warned now from London? Which islands are likely to be effected?
- (c) What should they do with the fish when they are caught?

/If you

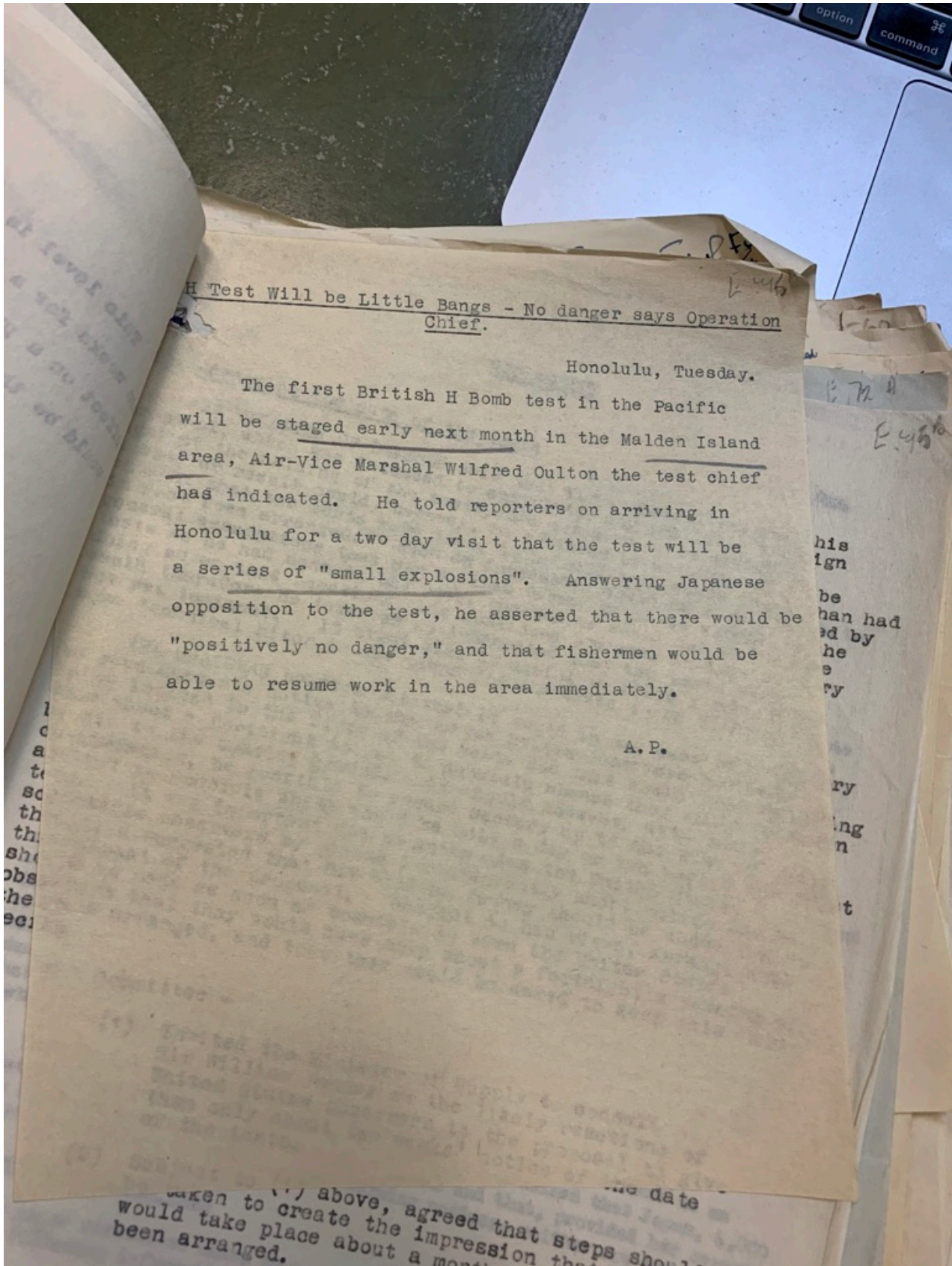
W. R. Cook, Esq., C.B.,  
Deputy Director,  
A.W.R.E.,  
Aldermaston,  
Berkshire.

AVIA65/1211 (1957). Document no. E76. The National Archives. Visit: 21.06.2023.

[Following page reads: 'If you agree I will arrange a meeting an early [d]ate. Yours sincerely, E. S. Jackson'].



AVIA65/1211 (1957). Document no. E76. The National Archives. Visit: 21.06.2023.



AVIA65/1211 (1957). Document no. E75. The National Archives. Visit: 21.06.2023. [See Chapter 3, Footnote 135 (p. 49)].

RESTRICTED

Headquarters Task Force "Grapple",  
British Forces Post Office 170.

ORA/6/5/AIR

29th March, 1957.

Evacuation of Native Population

Object

1. To remove all female and juvenile native population from Christmas Island for the duration of the Tests and to reduce the male population to the minimum required to maintain administration and security.

Present Population

2. The population at present is as follows:

- 44 adult males
- 29 adult females
- 38 juveniles aged 2 - 14
- 18 juveniles aged under 2

20 APR 1957  
SECRET

Sea Evacuation

3. (a) Main Body to Fanning Island

- 31 adult males
- 26 adult females
- 47 children (plus any new arrivals)

are to be evacuated by sea to Fanning Island as convenient at the end of April or early in May. This party will remain at Fanning Island until the completion of the Tests.

(b) Retard Party. A further three adult females and nine children are to be evacuated by sea to Fanning approximately one week before the first drop. Depending on the results of the first drop, this retard party may be brought back to Christmas Island and re-evacuated immediately before later drops.

(c) Offenders. Two native offenders (chronic over indulgers) are to be flown to Canton for the duration of the trials.

Responsibilities

4. The Naval Task Group Commander is requested to make arrangements in consultation with the District Officer for paragraphs 3(a) and (b). The Air Task Group Commander is requested similarly to arrange for paragraph 3(c).

Maintenance Party

5. After the above evacuation has been completed the native population remaining will be:-

11 males

(W.B. OULTON)  
Air Vice-Marshal  
Commander  
Task Force Grapple

**SECRET**

**OUTWARD TELEGRAM**  
**FROM THE SECRETARY OF STATE FOR THE COLONIES**

507/548

104

TO WESTERN PACIFIC (Mr. J. Gutch)

Cypher (O.T.P.)

TSC/FAC

Sent 15th February, 1957. 19.30 hrs.

**SECRET**  
No. 77.

Addressed to High Commissioner, Western Pacific.  
Repeated to Resident Commissioner, Gilbert and  
Ellice Islands Colony No. 16.

Your telegrams Nos. 56 and 84.

Grapple.

Confirm that 40 labourers will be required for  
two months to assist disposal of stores.

2. Essential that only absolute minimum number of  
civilians remain on Christmas during period of tests.  
Task Force have agreed to move as many as possible to  
Fanning but I understand a number will have to be  
repatriated to Tarawa and Task Force are unable to provide  
transport. Can local arrangements be made to move these  
at Grapple expense?

3. Agreed that Grapple should continue to pay cost  
of labour whilst at Fanning.

4. Firm decision about future policy unlikely to  
be taken before end March but present intention is not  
to leave any permanent military care and maintenance party  
behind on conclusion of tests. Maximum amount of stores etc.  
will be removed. Suggest District Officer is authorised to  
discuss locally what if anything can be done to look after  
stores and static facilities left behind.

Copies sent to:-

Ministry of Supply  
(St. Giles Court)  
Air Ministry

- Mr. D.A. Lovelock  
- A/Vice Marshal W.C. Oulton

The Japan Times

24 JAN 1957

## Strontium-90 Found in Bones Of Three Japanese Corpses

By The United Press

Strontium-90, one of the most dangerously radioactive elements known to man, has been discovered in the bones of Japanese, a group of scientists announced Wednesday.

They said the quantity of the radioactive element, presumed to be from nuclear bomb tests, was still below the danger level, but warned the amount of radioactivity cast off by continuing nuclear experiments could have dangerous effects in the future.

A subcommittee of the Japan Science Council, led by Prof. Yoshio Hiyama of Tokyo University, said it detected the strontium-90 in the bones of three corpses last year—those of a 63-year-old man, a 43-year-old man and a 15-month-old infant.

The amount deposited in the bones was "far below the maximum permissible dose," ranging from one-ten-thousandth to one-one-hundred-thousandth, Hiyama said.

This finding tallied with the

findings of scientists in the United States and Great Britain.

Dr. Masao Tsuzuki, one of Japan's leading authorities on radioactivity and Japanese delegate on the U.N. Science Committee, said, "The radioactivity is not enough to immediately affect the persons carrying it. But it has dangerous connotations for the future."

Dr. Hiyama added, "Unless nuclear tests are regulated, the world may have to cut back the peaceful use of atomic energy."

Hiyama, authority on the biological effects of radioactivity, said tests are continuing with 10 other bodies.

All 13 persons lived normal lives and were not subjected to more than the usual exposure to radioactivity, it was said.

None were in the cities of Hiroshima or Nagasaki when they were atom-bombed in 1945.