Double-Edged Governance: How the Bahamian State Undermines Climate Justice Through Policy and Inaction

Prepared by: **Kendria Feguson**

Date: August 23, 2025

Abstract

While governments are positioned as the key leaders in climate action and climate justice, in The Bahamas, successive administrations have actively contributed to environmental degradation through irresponsible development decisions, weak enforcement of environmental policies, and prioritization of political gain over planetary survival. The paradox of state-led climate injustice demands a new framework for accountability and climate resilience for highly vulnerable Small Island Developing States (SIDS).

Introduction

In the face of rising seas, intensifying hurricanes, and disappearing coastlines, *climate justice* has become a critical framework for understanding not only who is most affected by climate change but who holds power in shaping our collective experiences and response. In The Bahamas, this framework exposes a troubling contradiction: while the government is entrusted with protecting the environment and advancing climate resilience, it has repeatedly made decisions that directly undermine these goals, from approving destructive developments in sensitive ecosystems to failing to enforce its own environmental laws and accelerating the nation's environmental decline.

This pattern cannot be divorced from the structural reality that The Bahamas' economy, heavily reliant on tourism and offshore financial services, was not organically designed to serve local needs or ecological resilience. Instead, it was shaped by years of colonial dependency and modern integration into global capitalism, which prioritize the interests of foreign investors and capital accumulation over sustainable development. As a result, political leaders often rationalize environmentally harmful projects as necessary for economic growth, even when they threaten long-term ecological health and trends of island systems.

However, a new chapter in legal accountability has emerged. In a landmark advisory opinion delivered in July 2025, the International Court of Justice (ICJ) affirmed that failure to address climate change can constitute an internationally wrongful act.[1] [2] The court explicitly recognized that a clean, healthy, and sustainable environment is a human right under international law and that states have binding obligations to uphold it. The Bahamian Prime Minister praised the ruling as affirming state obligations to protect the environment and as reinforcing climate change as a fundamental human rights issue.

This advisory court opinion provides a powerful legal basis to challenge state-sanctioned development that jeopardizes ecological and human wellbeing. Yet, without systemic reform, such positions risk being undermined by growing political and economic interests. This paper argues that, through negligence, politicized decision-making, and extractive development practices, the Bahamian government is not only failing to deliver on its climate commitments but is also actively contributing to climate injustice. Until this contradiction is addressed, true resilience and environmental sustainability will remain out of reach.

The Government's Theoretical Role in Climate Action

As the primary architect of national development, the government holds a central role in shaping The Bahamas' climate future. It is responsible for setting environmental policies, drafting and enforcing legislation, implementing climate adaptation and mitigation strategies, and representing the country in global negotiations, such as the Paris Agreement. Institutions such as the Ministry of Environment and Natural Resources, the Department of Environmental Planning and Protection (DEPP), the Forestry Department, and the Department of Environmental Health are tasked with upholding environmental stewardship.[3]

[1] Government of The Bahamas. (2023, July 23). *The International Court of Justice's climate decision confirms states' legal obligations to protect the environment: PM Davis*. Bahamas Government News. https://www.bahamas.gov.bs/news-press-release/the-international-court-of-justice-s-climate-decision-confirms-states-legal-obligations-to-protect-the-environment-pm-davis
[2] United Nations. (2025, July 23). *ICJ issues historic ruling on climate change obligations of states*. UN News https://news.un.org/en/story/2025/07/1151022
[3] Government of The Bahamas. (2022, November). *The Bahamas Updated Nationally Determined Contribution (NDC)*. United Nations Framework Convention on Climate Change (UNFCCC).

On paper, The Bahamas has established a suite of frameworks intended to guide climate action. The National Policy for the Adaptation to Climate Change sets sector-specific goals for protecting coastal and marine resources, tourism, and forestry. The Nationally Determined Contributions (NDCs) and the National Energy Policy further articulates the government's commitment to emissions reduction and sustainable energy.[4] [5] Recent legislation such as the Climate Change and Carbon Market Initiatives Bill (2022) and the Carbon Credit Trading Act (2022) aims to integrate natural carbon sinks like mangroves and seagrass beds, into a regulated blue-carbon credit economy.[6]

Adding momentum to this policy infrastructure is The Bahamas' pioneering move into blue-carbon finance. In late 2024, the country executed a debt-for-nature swap, freeing up over $120 million in conservation funding to replenish mangroves and safeguard marine habitats. More recently, the government collaborated with international partners to launch the world's first Blue-Carbon Sovereign Carbon Securities, a global climate finance innovation to monetize the carbon removal services of the nation's expansive seagrass meadows.[7]

Complementing these frameworks, The Bahamas is actively working to expand its protected area registry to include these sensitive land and ocean-based ecosystems. Yet scientific data reveals that fragility of these systems and declines in mangrove are

https://unfccc.int/sites/default/files/NDC/2022-11/Bahamas%20Updated%20Nationally%20Determined%20Contribution.pdf

[4] Government of The Bahamas. (2022, November). *The Bahamas Updated Nationally Determined Contribution (NDC)*. United Nations Framework Convention on Climate Change (UNFCCC). https://unfccc.int/sites/default/files/NDC/2022-11/Bahamas%20Updated%20Nationally%20Determined%20Contribution.pdf

[5] Government of The Bahamas. (2005). *National Policy for the Adaptation to Climate Change*. Nassau: Ministry of Health and Environment.

[6] Government of The Bahamas. (2022). *Climate Change and Carbon Market Initiatives Bill, 2022*. Nassau: Office of the Prime Minister. https://opm.gov.bs/wp-content/uploads/2022/04/Climate-Change-and-Carbon-Market-Initiatives-Bill-2022-19-April-2022.pdf

[7] Laconic Infrastructure Partners. (2024, July). *Bahamas to monetize seagrass carbon credits in historic climate finance deal*. https://www.laconicglobal.com/post/bahamas-to-monetize-seagrass-carbon-credits-in-historic-climate-finance-deal-with-laconic

due to development practices and climate-related threats.[8] As a collective, these instruments, the legal frameworks, protected-area designations, and financial mechanisms, construct a powerful theoretical case for climate justice. In principle, the government is positioned to act as a global leader in aligning environmental protection with economic strategy, elevating equity, biodiversity preservation, and resilience as national priorities.

Yet, the following sections will demonstrate, this theory is frequently betrayed by practice, especially when government-supported development degrades the same ecosystems and undermines the very policies meant to safeguard them.

The Practical Contradictions of Government Climate Action

The growing gap between policy and practice continues to reveal a troubling reality. Despite well-articulated commitments, the government routinely approves developments near critical ecosystems, including mangroves, wetlands, and along coastal marine habitats, that act as natural buffers against climate impacts. Despite the known and often obvious risks to local ecological conditions and social dimensions, Environmental Impact Assessments (EIAs), when conducted, are often inadequate or ignored in favor of political expediency or investor pressure. Additionally, despite being a mandatory part of the EIA process, public consultation is often treated as a formality rather than a meaningful part of the decision-making process. At the same time, enforcement and monitoring of developments against existing environmental regulations remains weak, under-resourced, not enforced, and politically influenced. This pattern of behavior demonstrates that while the government postures as a major local and regional climate actor, it often functions as an agent of environmental harm, prioritizing short-term economic gain over long-term resilience and ultimately compromising the very ecosystems and communities it claims to protect.

[8] Laconic Infrastructure Partners. (2024, July). *Bahamas to monetize seagrass carbon credits in historic climate finance deal.* https://www.laconicglobal.com/post/bahamas-to-monetize-seagrass-carbon-credits-in-historic-climate-finance-deal-with-laconic

State-Sanctioned Environmental Destruction: Case Studies

The Bahamian government's role in environmental degradation becomes undeniable when examining recent development trends. Across the archipelago, large-scale resort and cruise ship developments have led to the widespread destruction of natural vegetation, mangroves, seagrass meadows, and sandy and rocky coastal ecosystems, all of which serve as vital storm buffers for low-lying communities, carbon sinks, and biodiversity nurseries. In New Providence and Bimini, mangroves have been dredged or buried to make way for marinas and large hotel developments despite decades of scientific evidence demonstrating their role in shoreline stabilization, local fisheries production and livelihoods, and overall community climate resilience. The *Resorts World Bimini* cruise ship terminal project is a prime example: construction involved extensive dredging that destroyed coral and seagrass beds, disrupted marine life and altered tidal flows, despite environmental experts warning that such actions could cause irreversible damage to the island's coastal and ecological systems.[9] Residents echoed these concerns, citing lack of meaningful consultation and the erosion of traditional fishing grounds, yet the project proceeded with government backing and led to the destruction of over 400 acres of mangroves.[10]

In Exuma, the controversial *Rosewood* resort project continues to spark public outrage due to its development plans, which include extensive land clearing, destruction of native vegetation and dredging through shallow seagrass-rich waterways (Graham 2025). Scientists warn these seagrass beds are critical carbon sinks, they store vast amounts of carbon, support marine nursery habitats, and protect coastal ecosystems. Their destruction not only damages biodiversity, but also threatens to release sequestered greenhouse gases, undermining both climate mitigation and coastal resilience national goals. But despite this, the government has approved the project.

This ecological harm stands in stark contrast to The Bahamas' recent climate finance innovation. Only months ago, the government launched the world's first Blue-Carbon Sovereign Carbon Securities, designed to monetize the carbon sequestering power of

[9] Bahama Journal. (2017). *Impacts of the Resorts World Bimini Cruise Ship Terminal*. Nassau, The Bahamas.
[10] Bahama Journal. (2017). *Impacts of the Resorts World Bimini Cruise Ship Terminal*. Nassau, The Bahamas.

the nation's extensive seagrass ecosystems, but transforming them into instruments that can be traded on global markets. This project's destructive encroachment on seagrass habitats contradicts this initiative. On one hand, The Bahamas innovating through climate-aligned blue-carbon finance, but on the other, the same government is permitting development that actively degrades the very ecosystems it's trying to monetize.

Cruise tourism has also fueled environmental decline, with projects like *Coco Cay* and *Little Stirrup Cay*, proceeded with minimal oversight and regard for the environmental protection frameworks, resulting in the destruction of entire habitats to accommodate mass tourism and architectural vegetative designs. These projects are often fast-tracked without robust short- and long-term environmental assessments or public consultation, claiming 'minimal environmental impact' or boosting company long-term sustainability plans, all with disregard for the long-term impacts on surrounding and interconnected ecological health and stability and no national accountability mechanism to enforce and uphold sustainability and environmental commitments.

Research across the wider Caribbean reinforces this trend. Studies have shown that while cruise lines generate significant foreign exchange earnings, local economies often capture little of the value, while bearing the full weight of the ecological damage, ranging from coral reef destruction to mangrove loss and nearshore pollution.[11] This dynamic highlights how cruise tourism embodies a structural imbalance, where short-term revenues and foreign currency earnings are prioritized over long-term ecological stability.

Even in the face of hurricanes, the cumulative toll is severe. In Grand Bahama and Abaco, where Hurricane Dorian damaged an estimated 30% and 20% of mangroves, respectively, recovery is being undermined by new developments targeting fragile coastal zones instead of prioritizing ecosystem restoration.[12] More concerning is the

[11] Dukharan, M. (2025). *Beyond the Debate: Cruise Tourism in Cayman*. Retrieved from https://marladukharan.com/wp-content/uploads/2025/03/Beyond-the-Debate-Cruise-Tourism-in-Cayman-PDF.pdf

[12] Eyewitness News. (2022, October 10). *Experts: 30% of Grand Bahama mangroves damaged by Dorian, 20% in Abaco*. Eyewitness News. https://ewnews.com/experts-30-of-grand-bahama-mangroves-damaged-by-dorian-20-in-abaco/

apparent normalization of these practices; environmental violations rarely result in penalties, and mitigation measures, if mentioned, are seldom enforced, but of late, social media and public outcry on public platforms has forced the hands of governments to enforce at minimal fines which still are highly criticized and viewed as a 'slap on the wrist.' These examples reflect a systemic pattern, that is, development is often greenlit in exchange for economic promises, while ecosystems and the communities that rely on them suffer the consequences. The pattern of prioritizing immediate development gains over environmental protection reflects a deeper vulnerability shared across the Caribbean, when governments are structurally dependent on external inflows, ecological stewardship becomes politically negotiable, and destruction becomes normalized as the price of development.

These examples are not isolated incidents but part of a structural pattern shaped by The Bahamas' economic model and global position. As a small island economy with limited productive sectors, the state relies heavily on foreign direct investment, tourism receipts, and offshore financial services to earn foreign exchange and service national debt. This dependency creates strong political incentives to prioritize projects that promise inflows of foreign capital, even when they undermine long-term environmental sustainability. Successive administrations, regardless of party, have used large-scale developments as evidence of economic progress, job creation, and fiscal stability, framing them as necessary to maintain creditworthiness and meet balance-of-payments demands.

In practice, this means that short-term economic survival is consistently privileged over ecological protection. Regulatory agencies may have technical expertise, but their recommendations are often overridden in the interest of securing investment. Environmental safeguards become negotiable when weighed against the immediate pressures of debt servicing and foreign currency earnings. This political economic reality explains why the destruction of mangroves, seagrass, and coastal ecosystems persists across administrations: it's not simply poor decision-making, but a structural dependency that binds environmental governance to the logic of external capital.

Political Incentives, Power, and Environmental Governance

Behind every environmentally destructive project lies a web of political incentives that prioritize short-term economic and political gain over long-term ecological survival. Development projects, particularly those tied to foreign direct investment, are often pursued with urgency by politicians seeking to showcase economic growth, job creation, or infrastructure improvements ahead of election cycles. Environmental concerns are often sidelined or reframed as obstacles to progress. Regulatory institutions are routinely undermined, with key agencies either bypassed or pressured to approve projects despite clear environmental risks. Furthermore, appointments to boards and oversight bodies are often made on political grounds and rarely provide any authority to stop projects or enforce existing laws, eroding accountability and weakening enforcement of environmental protection measures. This politicization of environmental governance allows decision-makers to trade ecosystems for political capital with near impunity. As a result, the country's natural resources, its true capital in a climate-vulnerable world, are sacrificed in service of elite interests and short-term development narratives.

The Double Standard of Foreign Developers and Incentivized Exploitation

The role of foreign developers in The Bahamas' environmental crisis cannot be ignored, nor can the government's complicity in incentivizing that crisis. Through concessions under the Hotels Encouragement Act (1954) and other fiscal incentives, foreign investors are granted decades-long tax breaks, duty exemptions, and infrastructural support, often without stringent environmental conditions attached. Bahamian businesses rarely receive such generous terms, creating an unequal playing field where foreign firms dominate tourism development opportunities while local enterprises face stricter financial and regulatory hurdles.

The asymmetry is amplified by the stark double standard in environmental practice. Many developers and brands tout their global commitment to sustainability, adhering to strict environmental standards in countries like the United States or across Europe, but apply none of that rigor in The Bahamas. Here, they find a permissive regulatory environment where environmental oversight is weak, enforcement is inconsistent, fines are negligible, and accountability is minimal. They adapt not to universal principles of sustainability and environmental stewardship but to the lowest common denominator allowed by domestic politics.

This pattern persists not because of limited technical expertise but because political leaders routinely override environmental recommendations or pre-approve projects before environmental checks are concluded. Successive governments rely on foreign direct investment as the cornerstone of economic growth narratives, jobs promise, and political favor. In this way, the double standard is both environmental and economic in its exploitation, echoing colonial logics of resource extraction profits accrue to external investors and local elites, while Bahamian communities absorb the environmental costs. What is framed as "development" is in fact a transfer of ecological wealth outward, leaving behind degraded habitats, increased vulnerability to climate shocks, and widening inequities. The exploitation is not just environmental; it is economic and colonial in its logic.

Politics, Power, and the Climate Crisis

At the heart of The Bahamas' environmental decline is a political culture that treats natural resources as bargaining chips rather than shared national assets. Climate change is framed rhetorically as a global emergency, but domestically, it is treated as an abstract issue, secondary to political patronage, campaign promises, and foreign investment deals. The concentration of decision-making power in a few hands, combined with weak environmental governance, enables politicians to sidestep accountability with little resistance. Meanwhile, the communities most impacted by environmental degradation, fisherfolk, residents, and isolated Family Island communities are excluded from meaningful participation in the development process. The climate crisis in The Bahamas is not only ecological; it is deeply political, rooted in a governance system that prioritizes short-term gains over sustainable stewardship. Until the political system is realigned to prioritize climate justice, the country will remain vulnerable not only to rising seas but to the internal erosion of its values and resources.

Accountability and the Path Forward

The Bahamian public deserves more than performative climate rhetoric and hollow development promises; it deserves a governance model that protects its people, its ecosystems, and its future. Accountability must begin with transparency: full disclosure of all government-approved developments, environmental impact assessments, and public consultation processes should be mandatory and accessible. Developers should be explicitly prohibited from offering gifts, sponsorships, or "community donations" to local residents, schools, churches, or organizations while their development proposals are under review by the government. These seemingly charitable gestures, whether in the form of donated laptops, event sponsorships, school supplies, or public building repairs and supplies, are often strategically timed to generate goodwill and mute public opposition. In practice, they amount to soft forms of bribery that compromise the transparency and integrity of the development approval process. When communities become financially or emotionally tied to a developer before environmental approvals are granted, it undermines the neutrality of public consultation and can silence valid concerns about ecological risks. This tactic also exploits under-resourced communities by positioning corporate generosity as a substitute for government investment. To uphold public trust and ensure a fair and impartial planning process, the government must adopt clear legal provisions that ban all developer-to-community transactions prior to project approval and enforce strict penalties for violations.

There is also a need to establish independent oversight bodies, free from political interference, to be empowered to monitor, audit, and sanction environmental violations. Legal reforms should allow for community-led litigation or class action suits in cases of ecological harm. Moreover, climate policy must be democratized; meaningful consultation with local communities, scientists, and civil society organizations must become the standard, not a mere formality. Regional institutions and international climate finance mechanisms also play a role by making support conditional on genuine governance reforms and environmental safeguards. True climate justice in The Bahamas will require a bold shift in political culture: one that replaces secrecy with transparency, elite deals with equity, and short-termism with sustainability.

How Can We Fix the Broken System?

Fixing the broken environmental governance system in The Bahamas requires more than minor reforms; rather, it demands a structural reimagining of power, participation, and priorities. First, environmental legislation must be strengthened to mandate enforcement and remove discretion from political actors. This includes amending the Planning and Subdivisions Act, the Environmental Health Services Act, and regulations surrounding EIAs to require independent third-party reviews, public hearings, and binding mitigation plans. Second, the government must invest in the institutional capacity of its regulatory agencies, ensuring they are staffed with qualified experts and operate free from political interference. Third, citizens must be empowered with the legal tools and civic education to hold leaders accountable. This could include a national environmental ombudsperson, climate justice tribunals, or community-led monitoring initiatives. Finally, political financing laws and transparency measures must be reformed to reduce the influence of foreign developers and elite interests over national decision-making. A just, climate-resilient future will only be possible if we dismantle the systems that currently prioritize power and profit over people and the planet.

Conclusion

The climate crisis in The Bahamas is not simply a matter of rising seas or stronger storms; it is a political crisis rooted in governance failures, unchecked power, and a persistent disregard for environmental justice. While residents are often blamed for pollution or overdevelopment, the reality is that government-sanctioned projects, policy contradictions, and permissive concessions to foreign developers have done far greater harm to the nation's ecosystems and future resilience. This is compounded by structural pressures such as tourism dependence, foreign currency needs, and debt obligations, that consistently incentivize destructive development.

The government now stands at a critical juncture: positioned both as the architect of climate leadership through ambitious policies, conservation initiatives, and blue-carbon innovations, and simultaneously as the primary violator by approving developments that dismantle the very ecosystem those initiatives seek to protect. This contradiction cannot be ignored.

If The Bahamas is to survive and thrive in an era of accelerating climate impacts, this paradox must be confronted. The path forward requires not only structural reform and stronger legal enforcement, but also transparency, civic empowerment, and a fundamental shift in political values that place environmental integrity above short-term political and financial gain. Climate justice must move beyond rhetoric to become the binding standard by which all policy, development, and governance are measured. Anything less will ensure that The Bahamas continues to trade away its ecological wealth, eroding what makes the country not only beautiful, but ultimately livable.