

## Statement by the Delegation of Vanuatu

### Human Rights Council Working Group on the Universal Periodical Review, Eighteen Session (27 January to 7 February 2014)

30 January 2014

Mr President, Representatives from Member States, NGO delegates, OHCHR Staff on behalf of the Government and the People of the Republic of Vanuatu, we are deeply honoured to extend our sincere and warm greetings to you all.

We would also like to confer our sincere apologies from the Honourable Minister for Justice & Community Services and the Ambassador of Vanuatu to Brussels who could not be present with us today due to other commitments.

We would also like to take this opportunity to thank the hardworking OHCHR Staff, the Pacific Islands Forum (PIFS) and OCHCR who have greatly assisted towards the drafting of the 2<sup>nd</sup> UPR Report in March and July last year, 2013.

The Government of the Republic of Vanuatu submitted its first national UPR report to the Human Rights Council on 12 May 2009. The Human Rights Council then adopted the report in the same year. Vanuatu has 48 recommendations from the first round. Since the adoption of the first report, Vanuatu worked hard to implement these recommendations and commitments through all relevant parties, including government agencies, official institutions and civil society organization. It is important to note that Vanuatu continues to face challenges in the implementation of these recommendations.

In February 2013, the Office of the Prime Minister, appointed an UPR Committee comprised of 10 government officials and 1 civil society representative with the assistance of the OHCHR to complete the second UPR National Report.

I would like to extend our deepest appreciation to our previous TROIKA Members which are representatives from DJIBOUTI, MEXICO and INDIA for their assistance in the compilation of the recommendations that were addressed in our first UPR submission in 2009. We thank our TROIKA Members from ALGERIA, BRAZIL and MALDIVES who assisted in the compilation of the advance questions.

Mr President, the Vanuatu Government is delighted to report on the following achievements:

- Completion of the UN Convention Against Corruption (UNCAC) review on Chapters 3 'Criminalization and Law Enforcement' & Chapter 4 'International Cooperation' was reviewed by UN Office on Drugs and Crime (UNODC).
- Completion of the first initial CRPD Report in 2012, after Vanuatu ratified CRPD in October 2008. This report underwent full national consultations before it will be presented to the UN in all provinces to provide awareness on the rights of persons with disabilities. Both the government and the private sector are providing employment to persons with disabilities, special school for persons with hearing impairments and other children with disabilities has been established in Sanma Province. The building code recently passed in the 2013 Parliament sitting will ensure access for person with disabilities in existing and new facilities. Governance has been streamlined to local authorities; an example is the

council for person with disability established in the Sanma Province. In 2012, a person with disability contested the national elections for the very first time. The Education Policy includes free education to all including children with disabilities, and three successful scholarships were given to teachers on special educations to be able to assist in the curriculum.

- Establishment of the Disability Desk Officer in 2010 at the Ministry of Justice.
- Completion of the 2<sup>nd</sup> and 3<sup>rd</sup> CRC Report with the assistance from stakeholders. Since 2010, Universal Primary Education Policy (UPE) provides fee free education to all Government owned primary schools from Class 1 to Class 6, there are no sanctions for parents who fail to send their children to school. In 2011: 9,033 females attended secondary education and in 2012 increased to 9,173.
- Completion of the Inclusive Education Policy 2011-2015 including children, and children with disabilities.
- Establishment of the Child Desk Officer in 2009 at the DWA to coordinate the implementation of the UNCRC.
- Completion of the National Children Policy 2012 – 2013.
- Completion of the 4<sup>th</sup> and 5<sup>th</sup> Report on CEDAW with the support from other stakeholders. The Department of Women's Affairs (DWA) is currently reviewing the Family Protection Act (FPA). Awareness raising activities have been so far carried out in 3 provinces with focus on domestic violence. The Government established the Family Protection Unit (FPU) housed by the Vanuatu Police Force (VPF) in 4 provinces to deal and investigate domestic violence reports. FPU's have reported the increase in the number of domestic and sexual violence in 2011, from 77 cases to 2,010 cases in 2012; this is primarily due to families being aware of their rights. A total of over 437 awareness programs have been conducted by VPF on domestic violence.

Department of Women's Affairs (DWA) continues to carry out awareness on CEDAW, human rights, gender and FPA to church communities, Magistrates, Police Officers and communities have responded positively.

Vanuatu amended the Employment Act of 2009 and 2010 in respect to annual leave, maternity leave and minimum wages.

- Establishment of a Gender Officer at the Department of Women's Affairs to mainstream gender into national policies.
- Amendment to Municipality Act in allocation of a 30% quota reserved seats for women in the municipal councils. Prior to the Temporary Special Measure there was only 1 female Councillor but in January 2014, out of the 40 women who contested the Port Vila Municipality Elections, 5 women were elected.

- Visit of the Special Rapporteur on Torture in 2010 assisted the Correctional Services Department (CSD) to review internal processes and procedures to eliminate inhuman treatment of detainees.
- Establishment of an External Inspection Team which comprised of independent members from Health, Youth, Malvatumauri and Vanuatu Christian Council to inspect the conditions and treatment in prisons and promote the human rights of detainees. The first report was published in 2013 and is available on the CSD website.
- Newly established Ministry of Climate Change in 2013 to address climate change and disasters that have negative impact on women and children via engagements in farming, forestry, fishing, and food/water security. Vanuatu attended the 19<sup>th</sup> session of the Conference of the Parties in November 2013 in Warsaw, Poland.
- Completion of reproductive health awareness on two (2) provinces with assistance from UNFPA and other Donor Partners, 2013 – 2017 cycle.

Mr President in terms of challenges and constraints in compiling this report, the Government encountered the following :

- Given the geographical location and our financial constraints to travel to Geneva to be present at the UPR.
- Lack of human resources for implementation of recommendations.
- Donor centered funding.
- Not all children with disabilities attend formal education.
- Lack of financial assistance to effectively address areas which require reform.
- Lack of understanding and interest on the UN human rights conventions.
- Lack of internal capacity to translate human rights conventions into domestic legislations.
- Traditional barriers stop women from engaging in key climate change sectors.
- Lack of education on climate change and adaptation in communities.

Mr President, in terms of new developments, the Government has recently committed to developing best practices concerning youth juveniles.

The Constitution (Article 5) provides equal rights under the law to all persons including people with disabilities. Discrimination based on sexual orientation or HIV/Aids has not been specifically addressed by the Constitution. In 2011, Vanuatu established the National Aids Committee and launched a standard guide for counselling services or HIV/Aids testing facilities. Until 2011 there have been 6 reported cases of HIV/Aids.

The Ministry of Health (MOH) is progressively achieving the adequate access to quality basic health through the National Policy and Strategy for Healthy Islands 2011 – 2015. Vanuatu celebrates World Health Day by providing free services to the public and provides awareness. MOH has recently established the cervical clinic to provide service on cervical cancer and family planning issues. Ministry of Health (MOH) is currently conducting awareness and campaigns in remote rural communities and provide medication upon request. Malaria and TB cases have dropped from 17,500 cases in 2003 to less than 6,000 in 2011.

In February 2013 the Ministry of Justice & Community Services appointed an interim National Human Rights Committee. Its mandate will be to coordinate all human rights issues and monitor and evaluate the status of national reports. This is a step towards establishing a National Human Rights Institution (NHRI) in full compliance with the Paris Principles.

The Office of the Ombudsman have benefited from training and workshops on human rights. The Office has so far published 10 public reports, completed investigations on 100 cases with 260 cases pending.

A recently established division within the Department of Foreign Affairs in 2011, namely the Treaties and Conventions Division is working closely with the Ministry of Justice to ensure that any future international conventions and treaties that Vanuatu wishes to ratify undergoes proper national consultations so that citizens appreciate the content and obligations of the convention and the importance of reporting to these conventions once the Government has committed itself.

Mr President, I thank you all for your attention.

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### CONCLUDING REMARKS

We would like to take this opportunity to thank the member states who have contributed to this interactive dialogue.

As mentioned in our opening statement, the UPR Process even in its second reporting is still slowly progressing in a small island nation like Vanuatu, but with the firm stand by our Government to uphold and promote Human Rights in the country.

This UPR process helps us to constantly improve the promotion and protection of human rights in Vanuatu.

Thank you Mr President.