

Vanuatu Joint Stakeholder submission to the 4th Universal Periodic Review 11 October 2023

This 4th cycle Universal Periodic Review (UPR) stakeholder submission brings to the United Nations Human Rights Council (HRC) the voices of 5 Non-Governmental Organization (NGOs), representing the Vanuatu Association of Non-Government Organisation (VANGO), Further Arts, Human Capacity Development International, Kolisen Blong Letemap Edukesen, Oxfam in Vanuatu, and Save the Children, Transparency International.



Vanuatu Association of Non-Government Organisation (VANGO) is the national umbrella organization for NGOs in Vanuatu. VANGO's goal is to build a vibrant NGO sector which accurately represents the interests of ni-Vanuatu people and disadvantages groups and promotes important local development issues.



Further Arts' objective is to empower ni-Vanuatu to develop long-term social and commercial enterprises in the industries of creative arts, communications and agriculture that are culturally, socially, environmentally and financially sustainable. It aspires to broaden its presence across the South Pacific. Further Arts is led by Ni-Vanuatu and Oceanian women.



Human Capacity Development Int

Human Capacity Development International (HCDI) is a Vanuatu-based NGO, focusing on providing capacity development support to civil society, communities, and government. PO Box 71, Port Vila, Vanuatu hcdint@gmail.com +678 560 4878 <https://www.hcdint.org/>



Kolisen Blong Leftemap Edukesen (KOBLE) is dedicated to the advancement of educational opportunities for all Vanuatu citizens, especially for those from disadvantaged groups. <https://koble.org.vu/>



OXFAM

Oxfam in Vanuatu works in key development areas, such as climate change, gender equality, and poverty reduction. Its work is in line with Oxfam's global mission to help create lasting solutions to the injustice of poverty. They are part of a global movement for change, one that empowers people to create a future that is secure, just, and free from poverty



Save the Children.

Save the Children in Vanuatu is committed to helping all children achieve their full potential by ensuring they grow up healthy, receive a good education, and stay safe. Securing children's rights is the foundation of its work. Millions of children around the world are denied their rights, simply because of who they are or where they are from.



Transparency International Vanuatu mission is to create change towards a world free of corruption. The organization defines corruption as the abuse of entrusted power for private gain which eventually hurts everyone who depends on the integrity of people in a position of authority.

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Introduction

This NGO 4th cycle Universal Periodic Review (UPR) stakeholder submission presents four key issues to the UNHRC about the Human Rights situation of Ni- Vanuatu:

1. Lack of prioritization, integration, and implementation of human rights issues, policies and recommendations
2. Lack of quality education
3. Inadequate medical health services and facilities in Vanuatu's six provinces
4. Lack of national social protection system in Vanuatu

Issue 1: Human rights are not prioritized, integrated or institutionalized into national mechanisms, leading to a lack of human rights policies, action plans and implementation

The Vanuatu Civil Society Organizations (NGOs) is concerned about the lack of integration of human rights into Vanuatu's national planning, reporting and follow-up mechanisms.

This integration was included in 3 recommendations outlined below, provided in the 3rd UPR review cycle, all of which were supported by Vanuatu, Cabo Verde recommended the Vanuatu Government to :

90.1 Establish a human rights recommendations plan, aligned with the Sustainable Development Goals and integrating all accepted recommendations from the universal periodic review.

90.2 Integrate good practices of implementation of recommendations from the universal periodic review into national reviews.

90.10 Promote an integrated approach to human rights and the Sustainable Development Goals, by establishing a national mechanism for reporting and follow-up and a national coordination body for the Sustainable Development Goals and human rights reporting in an integrated manner.

The Vanuatu Coalition of CSO/ NGOs acknowledge the Vanuatu's stated commitment to human rights, as expressed in:

- Vanuatu's ratification of major human rights conventions and agreements such as the Convention on the Rights of the Child, Convention on the Rights of Persons with Disabilities, Convention on the Elimination of All form of Discrimination Against Women, International Covenant on Civil and Political Rights and Convention Against Torture and Inhuman Treatmentⁱ.
- Vanuatu's participation in the UPR review processes from cycle one to date.
- Vanuatu's participation in the Pacific Regional NMIRF Dialogue focusing on the effective implementation of human rights obligationsⁱⁱ

We also acknowledge Vanuatu's growing capacity in the areas of national planning, reporting, and follow-up, as evidenced in:

- Vanuatu 2030, Vanuatu National Sustainable Development Plan (NSDP) – the People's Plan-, aligned with the international Sustainable Development Goalsⁱⁱⁱ
- Vanuatu's efforts to track progress on the NSDP, including through its Monitoring & Evaluation plan, through internal and external meetings, and through a performance audit of the NSDP, carried out by the Vanuatu National Audit Office
- Vanuatu's data collection efforts, including the 2020 National Census^{iv} and the Well-Being Survey^v

However, these efforts do not include *a national mechanism for the systematic integration of human rights*, at the planning, implementation, or monitoring level, nor *an integration of good practices^{vi}*, nor a *human rights recommendation plan*. In current practice,

- there is no national mechanism or body in place for UPR reporting and follow-up;
- the Ministry of Justice is assigned the responsibility for human rights issues but the assigned desk is not systematically connected with other Ministries in terms of planning and implementation;

- there is no human rights component or responsibility assigned to the national planning agency, the Department of Strategic Planning, Policy and Aid Coordination;
- planning at the Ministry or Department levels does not include a human rights component or mandate;
- the first national consultations on the UPR recommendations took place in September and October of 2023, a mere few months before the 4th review report was due.

The Vanuatu NGOs coalition also concerned about the lack of human rights policies, institutions and action plans, following the 3rd UPR recommendation, supported by Vanuatu:

90.4 Mauritius called upon the Vanuatu government to set up its national human rights institution. Establish an independent national human rights institution in compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) (Ukraine); Establish an independent national institution for the promotion and protection of human rights in compliance with the Paris Principles (Togo); Establish an independent national human rights institution in full compliance with the Paris Principles, seeking technical assistance from the OHCHR where necessary (Ireland); Intensify efforts aimed at establishing an independent national human rights institution in compliance with the Paris Principles (Georgia); Redouble efforts to establish a national human rights institution (Mexico);

Having an active, independent national human rights institution is a key component of the process of protecting and promoting human rights, as established in the Paris Principles^{vii}.

A national Human Rights Committee (HRC) was established in 2013^{viii}, and was charged with overseeing all human rights obligations, including establishing a National Human Rights Institution. However, the HRC has not been functioning actively, and there is no budget allocated to the Committee. While part of this may be due to lack of capacity or technical competence, it has not drawn on possible assistance from the OHCHR. Its function is also not integrated into the national planning or reporting process, as noted earlier.

Recommendation:

The Vanuatu NGO's call on the Government to:

1. Develop and strengthen the capacity, structure, and functioning of the HRC through funding and capacity development support
2. Review NHRC membership to ensure it is inclusive, diverse, and active
3. Mandate the systematic integration of human rights into all national, ministry, and department level planning, implementation and monitoring
4. Implement the UN Good Practices guidelines for the implementation of the recommendations of the 4th Periodic Review
5. Develop a consolidated workplan and budget for the UPR and all the human treaties recommendations for the NHRC and integrate the actions and cost into the respective annual government Ministry's business plan

Issue 2: Lack of quality education

The coalition of Non-Government Organization (NGO) acknowledged the Vanuatu Government for committing to provide quality education for all as stated in the Vanuatu National Sustainable Plan and the Vanuatu Education and Training sector strategy 2020- 2030.

The coalition of NGOs is concerned that despite the existing education sector policies and the commitments made at the international level, Vanuatu lacks access to quality education. The

current policies are not sufficiently resource both financially and human. There is lack of socialisation of the policies to mainstream across all the government agencies.

The coalition of NGOs noted that the Vanuatu government supported 12 UPR recommendations related to the right to education during the 41st session of the UPR, including:

90.46 made by Sri Lanka and called the Government to Vanuatu to progress with the implementation of the Universal Primary Education Policy and consider expanding free education to cover secondary schools. Portugal in recommendation

90.45 Portugal recommended the government to make primary education free and compulsory to all children without discrimination.

90.39: Singapore called on the government to ensure that its educators at all levels, from preschool to post-school education, are adequately trained to facilitate learning by children with disabilities, to support the Government's inclusive education policies.

90.41 Cuba called on the government to continue efforts to ensure access to education, in particular to expand the continuity of studies, and inclusive education for children with disabilities.

90.90 Belgium End all forms of discrimination against children with disabilities and take the necessary measures to enable access for children with disabilities to education.

90.37 Australia urged the government to consider compulsory education to facilitate the commencement of school at the right age.

90.40 Child recommend the Vanuatu Government to continue promoting measures for the full education and literacy of all citizens.

90.42 Iraq called on the promote equal opportunity in education.

90.43 Maldives urged the government to continue improve access to quality education for all children.

90.44 Nepal recommended the Vanuatu Government to enhance access to quality education, particularly for children in rural areas, and take steps to ensure every child's rights to enrolment in and continuation of education.

90.74 France recommended that Vanuatu Government to ensure the effective schooling of girls.

90.85 : Argentina called the Vanuatu Government to take all the necessary measures to guarantee that girls remain in secondary education, particularly girls from remote and rural areas.

The coalition of NGO is concerned about the following key issues:

- Lack of trained teachers, approximately only 60 % are trained and 40% are untrained
- Outdated curriculum is currently under review
- Overcrowded classrooms in urban areas
- According to the Vanuatu Standardized test of achievement (VANSTA) 2019^{ix}, the literacy rate in Vanuatu ranges between 25% and 40%. Similarly, the status of Pacific Education Report 2022 stated that the percentage of Ni Vanuatu students meeting the minimum proficiency level in Year 6 literacy in 2021 was 50% compared to the 87% Pacific benchmark^x. The coalition of NGOs noted that the VANSTA test is not inclusive of children with disability.
- Twenty-five % of the national budget is allocated to the Ministry of Education. It is used mainly for staff pay roll, with only a limited portion spent on operations and implementation of activities^{xi}.
- Out of this budget, 20% of budget is allocated to tertiary education, leaving fewer available funds for early child care and education, primary and secondary education.
- The coalition of NGO noted that there are insufficient numbers of trained inclusive education teachers and there is lack of disability disaggregated data.

- Most of the current school facilities are not accessible to students with disabilities despite the endorsement of the inclusive education policy and the National Disability policy.
- There is a lack of curriculum, training, and materials for inclusive education.
- The government has an education in emergency policy. However, anecdotal evidences revealed that during emergencies, schools are used as evacuation centers. School facilities are damaged during disaster events and post disasters. Temporary and make shift shelters are constructed and are still used to date. These temporary and make shift shelters are not conducive to learning and do not provide an enable learning environment.
- There is no budget for adult literacy, out of school children and youth, and there are insufficient overall data on education.

Recommendations:

The Vanuatu NGO's call on the Government to:

- Enforce and implement free and compulsory primary education to all children without discrimination and remove parents' contribution charge by the schools.
- Strengthen the coordination, implementation, monitoring and evaluation of education sector policies.
- Review existing education sector and school policies, bullying and harassment policy.
- Review the current student/ teacher ratio.
- Increase the allocation of budget for more school facilities and infrastructure.
- Strengthen health and sanitation of the school facilities.
- Ensure alignment between education strategies, policy framework, delivery and access.
- Strengthen Vanuatu Education Management Information System (VEMIS) for effective data collection, management and validation.

Issue 3: Inadequate medical health services and facilities in Vanuatu's six provinces

The NGO coalition acknowledges the Vanuatu Government for committing to provide quality health care for all as stated in the VNSDP and the Vanuatu Education and Training sector strategy 2021- 2030^{xii}, especially the Health Sector Strategy (HSS) guiding principles of Universal Health Coverage and Equitable and Inclusive health services, and specifically refers to the NSDP Policy Objectives which direct that: i) the population of Vanuatu has equitable access to affordable, quality health care through the fair distribution of facilities that are suitably resourced and equipped, and; ii) services (particularly government services) must be accessible to all people, including people with disabilities^{xiii}.

The issue of health services was raised in the 3rd UPR cycle recommendations, supported by Vanuatu Government:

- 90.29 Vietnam called on the Vanuatu Government to promote access to basic health services, especially in the rural areas, with the aim of achieving universal health coverage.
- 90.30 Cuba urged the Vanuatu Government to give priority to the right to health, and implement effective measures to continue expanding access among rural populations;
- 90.32 Portugal recommended the Vanuatu Government to ensure adequate health facilities and improve access to basic health services, particularly in rural and remote areas, including ensuring that vaccination coverage reaches all children .
- 90.33 Sri Lanka called on the Vanuatu government to ensure the improvement of medical health services in the country, including through further investments in the training of health-care professionals ;
- 90.87 Angola urged the Vanuatu Government to create conditions, wherever possible, for access to health-care services and education for persons with disabilities;

90.93 France called on the Vanuatu Government to develop infrastructure that enables access to basic health services and education for children, including those with disabilities .

The NGO coalition notes that the stated priorities and activities are not fully implemented, that the current policies are not sufficiently resourced (financial and human), that especially rural people do not have sufficient access to health care facilities and services, and that especially NCDs continue to rise. The coalition further notes that health care facilities are not regularly supplied and stocked, which is a particularly urgent issue, given the frequent incidence of natural disasters in Vanuatu.

In 2020, the domestic general government expenditure on health as a share of general government expenditure was only 5.9 %, which represented a decrease over the 2002-2020 period.^{xiv} There was a minor increase in health care coverage from 33.3% to 34.1% in 2019^{xv}.

A 2021 study estimated that 29% of children in Vanuatu under five are chronically undernourished, a condition that can be effectively addressed through mobilizing communities to take collective action, increasing maternal and child health and nutrition knowledge among men and women, and improving behaviours that affect nutrition outcomes^{xvi}.

The Ministry of Health (2021) Health Facility Readiness and Service Availability (HFRSA) Assessment identified the major challenges of rising Non-Communicable Diseases, a growing need for mental health services, ongoing challenges of communicable diseases and unfinished commitments for improved Family Health^{xvii}. The main causes of death are diabetes, kidney disease and heart disease, all of which are rapidly growing, and high blood pressure is listed as the main contributing factor.

The survey also showed that no facility in the country provided a 100 percent complete and secure service to the local population, at the time of the assessment. In 2018, the ratio of skilled health workers to 10,000 population is 15.6, as compared to the target of 38.16. Due to a recommendation from the Vanuatu Qualification Authority (VQA), the Vanuatu College of Nursing Education (VCNE) is not accepting new intakes between 2022 and 2027, further aggravating the urgent lack of skilled health workers^{xviii}.

Most Vanuatu citizens live in the islands and in remote locations with little or no access to health services. Pregnant mothers and sick people must pay expensive fees for transportation to access health services in Luganville Northern district Hospital or in Port Vila Central Hospital.

Recommendations

The NGO coalition urges the Vanuatu Government

1. Substantially increase funding in order to resource the implementation of the Ministry of Health Corporate Plan 2021-2030, ensuring additional, renovated, and fully equipped health centres, especially in remote rural areas;
2. Address the need to have trained and skilled personnel to manage and staff health facilities, especially in the provinces;
3. Ensure adequate medical storage, fully stocked with medical supplies and equipment in the municipal areas and remotes areas in the six (6) provinces.
4. Provide capacity development of services delivery and system processes and health information systems.
5. Reopen and reactivate the Vanuatu Nursing College to continue the Diploma of Nursing program.
6. Ensure accessible infrastructure in all the provinces.

Issue 4: Lack of national social protection system

The Vanuatu Civil Society Organisation (NGO) is concerned that there is an overall *lack of social protection* in Vanuatu.

This issue was raised by China in recommendation 90.92 during the 32nd session of Vanuatu's 3rd Cycle UPR state report. China called on Vanuatu to continue to implement the national plan for sustainable development, to reduce poverty and raise people's living standards. In addition, the Bolivarian Republic of Venezuela in recommendation 90.28 called on Vanuatu to continue to consolidate its social and human rights policies, in particular in the area of economic, social and cultural rights, to improve the living standards of its people, particularly the most vulnerable sectors of the population.

The World Bank rated Vanuatu's social protection at 2.5 out of 6 in 2022^{xix}. Vanuatu expenditure on social protection was among the lowest 3 in the Pacific, at less than 2% of Gross Domestic product (GDP). Vanuatu's social protection benefits received was the lowest in the Pacific at 2.1% of GDP per capita, as compared to a Pacific average of 54.1% of GDP per capita^{xx}. Monetary benefits also varied greatly, from \$4,992.25 in Papua New Guinea to \$57.16 in Vanuatu^{xxi}. Social insurance coverage was less than 1%.^{xxii} Health assistance was provided but at less than 0.01% of GDP. A negligible amount was spent on Active Labor Market Programs, including a small technical/vocational training program targeted at unemployed rural youth, and programs supporting seasonal work overseas^{xxiii}. Social insurance spending on men was nearly twice as high as spending on women^{xxivxxv}.

The lack of a national social protection system can be attributed to multiple factors, including the absence of comprehensive national data, an unclear definition of social protection specific to the country, inadequate housing projects to meet the needs of the growing urban population, and the absence of an income tax system. These interrelated challenges hinder the establishment of a robust and inclusive framework for social protection that can effectively address the diverse needs of the population, protect vulnerable groups, and foster sustainable development.

Vanuatu is facing major changes and requires a thorough assessment of current social protection impacts to plan and increase social protection coverage, focusing on vulnerable populations, including the poor, women, and people with disabilities.

Recommendations:

The Vanuatu NGO's call on the Government to urgently:

1. Develop a comprehensive plan for the definition, funding, and implementation of an effective social protection program in Vanuatu, in line with the SDGs, human rights, Pacific standards and Vanuatu context.
2. Review the existing tax system and develop an income tax mechanism for both the formal and informal sectors in Vanuatu, designed to fund social protection.
3. Develop a Housing Project to accommodate the growing population, especially in urban areas.
4. Establish a Vanuatu social welfare system.

Endnotes

ⁱ United Nation Human Rights treaty body

https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=190&Lang=EN

ⁱⁱ Pacific Community (2020). Introducing 'The Pacific Principles of Practice' for effective national implementation

<https://www.spc.int/updates/blog/2020/07/introducing-the-pacific-principles-of-practice-for-effective-national>

ⁱⁱⁱ Vanuatu 2030 <https://www.gov.vu/images/publications/Vanuatu2030-EN-FINAL-sf.pdf>

^{iv} Vanuatu 2020 National Census <https://vnso.gov.vu/index.php/en/statistics-report/census-report/national-population-and-housing-census/province>

^v Well-Being Survey <https://vnso.gov.vu/index.php/en/special-reports/well-being-survey>

^{vi} UN Good Practices : How the UPR supports sustainable development. <https://www.ohchr.org/en/hr-bodies/upr/good-practices>

^{vii} Global Alliance of National Human Rights Institutions. Paris Principles [https://ganhri.org/paris-principles/#:~:text=The%20Paris%20Principles%20\('Principles%20Relating,are%20pluralism%2C%20independence%20and%20effectiveness.](https://ganhri.org/paris-principles/#:~:text=The%20Paris%20Principles%20('Principles%20Relating,are%20pluralism%2C%20independence%20and%20effectiveness.)

^{viii} Daily Post (June 2014) https://www.dailypost.vu/national-human-rights-committee-established/article_c6d5d1a0-928c-5a0d-bf35-77d30a705ef0.html

^{ix} Vanuatu Standardised Test of Achievement 2019 highlights crisis in Education

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^{*}The status of Pacific education 2022 A regional monitoring report based on internationally comparable statistics.

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^{xi} Vanuatu Education Support Program (VESP II) context analysis March 2022

<https://espvauatu.org/wp-content/uploads/2022/06/VESP-II-Context-Analysis-Jul-Dec-2021.pdf>

^{xii} Vanuatu Health Sector Strategy 2021-2030.

https://moh.gov.vu/images/Strategic_Plan/Health_Sector_Strategy_HSS_2021-2030_.pdf

^{xiii} Ibid, p. 2

^{xiv} World Data Atlas. <https://knoema.com/atlas/Vanuatu/topics/Health/Health-Expenditure/General-government-expenditure-on-health-as-a-share-of-general-government-expenditure>

^{xv} IMHA. Health data Vanuatu. <https://www.healthdata.org/research-analysis/health-by-location/profiles/vanuatu>

^{xvi} Save the Children (2021). Vanuatu Fes 1000 Days Project Impact Brief.

<https://resourcecentre.savethechildren.net/document/vanuatu-first-1000-days-project-baseline-report/>

^{xvii} Ministry of Health (2021) Health Facility Readiness and Service Availability (HFRSA) Assessment

<https://pacific.unfpa.org/en/publications/2021-vanuatu-health-facility-readiness-and-service-availability-hfrsa-assessment>

^{xviii} Daily Post (2022). No Nurse Intakes For Next 5 Years. https://www.dailypost.vu/news/no-nurse-intakes-for-next-5-years/article_dc06e2da-4e89-50cf-9b18-226642c36f04.html

^{xix} Trading Economics (2022). Vanuatu CPIA Social Protection Rating. [https://tradingeconomics.com/vanuatu/cpia-social-protection-rating-1-low-to-6-high-wb-data.html#:~:text=To%206%3Dhigh\)-,CPIA%20social%20protection%20rating%20\(1%3Dlow%20to%206%3Dhigh,compiled%20from%20officially%20recognized%20sources.](https://tradingeconomics.com/vanuatu/cpia-social-protection-rating-1-low-to-6-high-wb-data.html#:~:text=To%206%3Dhigh)-,CPIA%20social%20protection%20rating%20(1%3Dlow%20to%206%3Dhigh,compiled%20from%20officially%20recognized%20sources.)

^{xx} Asian Development Bank (2019). The social protection indicator for the Pacific: Assessing progress.

<https://www.adb.org/sites/default/files/publication/513481/spi-pacific-2019.pdf>

^{xxi} Ibid p 25

^{xxii} Ibid, p. 23

^{xxiii} Ibid, p. 19

^{xxiv} Ibid, p. 39

^{xxv} See also ADB (2003) Priorities of the People: Hardship In Vanuatu

<https://www.adb.org/sites/default/files/publication/29744/hardship-vanuatu.pdf>