

## PRESENTATION

Mr. President, Representatives from Member States, NGO delegates, OHCHR Staff on behalf of the Government and the People of the Republic of Vanuatu which I represent this morning, I am deeply honoured to extend our sincere and warm greetings to you all.

Before I proceed, I would like to congratulate you Mr. President on your recent appointment to officiate this Twelfth Session of the Human Rights Council. I would also like to take this opportunity to thank the hardworking OHCHR Staff who have greatly assisted us during our presentation before the Working Group in May this year and also I would like to extend our deepest appreciation to our TROIKA Members which are representatives from DJIBOUTI, MEXICO and INDIA for their great assistance in the compilation of the recommendations.

May I re-iterate at the outset, that although the UPR process is quite new for our country, the Government of the Republic of Vanuatu is committed to do its utmost best to uphold, protect and promote the Human Rights of its citizens.

When the Vanuatu Government Delegation received the recommendations after its presentation before the UPR Working Group during its Fifth Session in May 2009, we indicated that further consultation would be made in the country and we will give our position on the recommendations in this session of the Human Rights Council. I am pleased to inform that the Government of the Republic of Vanuatu has already taking positive steps towards the implementation of the recommendations through the formulation of various policies and frameworks within various Government Departments and Ministries.

I would therefore like to express the Vanuatu's position in regards to the 48 recommendations as follows:

All recommendations are acceptable except for Recommendation 2, 3, 5, 7 and part of Recommendation 20.

In response to Recommendation 2 which relates to the ratification of the International Convention on the Elimination of All Forms of Racial Discrimination, Vanuatu is not yet prepared to ratify the said Convention. However, in the existing legislative framework, there is protection against all forms of discrimination including racial discrimination under Article 5 (1) of the Constitution which is the Supreme Law of the country.

In response to Recommendation 3, 5 and 7 which relates to the ratification of the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Rights of Migrant Workers and their Families, the accession to the ICRMW and the accession to the Second Optional Protocol to the International Covenant on the Civil and Political rights (ICCPR), Vanuatu is not yet prepared to ratify the said Conventions at this point in time. One of the main reasons to that is the financial constraint that a small island country like Vanuatu has. However, I wish to assure you that discussions are underway for appropriate assessment and consultation to be undertaken in order for Vanuatu to ratify these Conventions when it thinks fit.

With regards to Recommendation 20 which relates to the promotion of awareness-raising programs on the importance of education of children, this is acceptable however the second part of the recommendation which is for the consideration of applying adequate sanctions for parents who fail to send their children to school is not acceptable. In this regard, the Government, through the Ministry of Education is prepared to provide appropriate counselling services to the parents who fail to send their children to school but not sanction them as yet.

Mr. President, as part of its commitment to the promotion of Human Rights, Vanuatu, the Ministry of Justice has developed a Justice Sector Strategy 2009 to 2014 that is aimed at addressing all issues relating to the Protection and Promotion of the Rights of Disabled People, Detainees, Women and Children. One of the main challenge for the Ministry of Justice now is to formulate policies that would aim at ensuring that Human Rights or local legislations and custom do compliment each other. This Sector Strategy also takes into consideration the Millenium Development Goals and would also lead to relevant legislative reforms. I also wish to inform that the Government, through the Office of the Prime Minister has appointed a

Millenium Development Goal Taskforce which role is to facilitate the implementation of the MDGs through the Government Ministries and Departments.

After our presentation in May 2009 before the UPR Working Group, the Government through the Department of Correctional Services has taken steps to improve the situation in the Correctional Centres which house our detainees, by renovating the Centres and seperating the high risk detainees from the low risk detainees. The Government through the Ministry of Justice has also appointed a Disciplinary Committee for the Correctional Services. This Disciplinary Committee would be responsible to handle complaints related to the mistreatment of detainees in the Correctional Centres. I am also pleased to inform that Vanuatu will be having the visit of the United Nations' Special Rapporteur on Torture on the 4<sup>th</sup> December 2009 in Vanuatu, to discuss issues of the treatment of detainees in the context of international standards.

With regards to issues affecting women, now that the Family Protection Act is in force, the Government through the Ministry of Justice and the Department of Women's Affairs have taken positive steps to ensure that the said Act is fully and efficiently implemented in the country. The Government through the Department of Foreign Affairs and the Vanuatu Women Centre which is the lead NGO which earnestly fought against violence against women in the past years are currently working together on awareness programs on the new Family Protection Act.

One of the priority tasks of the Vanuatu Government CEDAW Committee is to work on a proposal for the review of all relevant legislations which are discriminatory and marginalize women. The Government has also set a Family Protection Unit within the Vanuatu Police Force to deal with issues related to domestic violence in order to ensure that all cases are properly investigated and dealt with.

The Ministry of Justice in conjunction with the Ministry of Foreign Affairs are also seriously considering the setting up of a Human Rights Commission or Unit within the Government which will oversee the implementation of the UPR Recommendations in the country. The Government has through the mentioned Ministries has already held talks with some Organisation for appropriate technical assistance in the setting up of that body.

Thank you.

#### CONCLUDING REMARKS

I would like to take this opportunity to thank the Member States and NGOs who have given their comments in response to our presentation.

As mentioned in my opening statement, the UPR Process is quite new to a small island nation like Vanuatu, but with the firm stand by our Government to uphold and promote Human Right in the country, we positively take on board the presented comments and will use them to improve our Human Rights related policies and laws.

Mr. President, thank you once again for giving this opportunity for our country to present its responses to the UPR Recommendations.