

VANUATU: LEADING ON CLIMATE, LAGGING ON GENDER

AMNESTY INTERNATIONAL: SUBMISSION TO THE 46TH SESSION OF THE UPR WORKING GROUP, 29 APRIL TO 10 MAY 2024

SUMMARY

This submission was prepared for the Universal Periodic Review (UPR) of Vanuatu on 2 May 2024. In it, Amnesty International evaluates the implementation of recommendations made to Vanuatu in its previous review, including in relation to women's rights, abuses in the criminal justice system, freedom of expression, non-discrimination and the climate crisis.

It also assesses the national human rights framework in order to strengthen accountability mechanisms and improve access to justice for human rights violations and abuses.

With regard to the human rights situation on the ground, Amnesty International raises concern about equality and non-discrimination, improving the justice system in line with international human rights standards and improving freedom of expression, while recognising the need to build back better following the global pandemic and other disasters.

It ends with a set of recommendations to Vanuatu which, if implemented, would contribute to improving the human rights situation.

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FOLLOW UP TO THE PREVIOUS REVIEW

1. Amnesty International welcomes the efforts by the Vanuatu government to implement 96 of the 135 recommendations accepted at the last review and acknowledges the challenges presented by the Covid-19 pandemic and extreme weather events made more likely and more severe by the climate crisis.
2. Vanuatu continues to be a global leader calling on climate action. In March 2023, the UN General Assembly adopted a resolution to support a motion put forward by the Vanuatu government and supported by student climate activists asking the International Court of Justice to consider State responsibilities with respect to the climate crisis. The government of Vanuatu is also a key player in a coalition of six Pacific island nations that have issued a joint call for the world to back a fossil fuel non-proliferation treaty.
3. Women continue to be significantly under-represented in all areas of public and political life. In a notable development in October 2022, the first woman Member of Parliament was elected to the 52-seat parliament in more than 15 years.
4. Annex 1 is a Matrix of Recommendations from Vanuatu's last review in 2019. Amnesty International notes that a lack of information and statistical data made it difficult to assess what progress, if any, has been made in some areas since the last review.

THE NATIONAL HUMAN RIGHTS FRAMEWORK

5. Vanuatu does not currently have a National Human Rights Institution (NHRI), despite committing to establish one. Consultations were initiated with the support of the Secretariat of the Pacific Community (SPC) in 2021, and we urge Vanuatu to expedite the establishment of a NHRI in compliance with international human rights laws and standards.
6. Complaints of mistreatment by the Vanuatu Police Force and prisons officials are not received by an independent body, but rather by an internal department that can take disciplinary action and consider prosecutions where there is sufficient evidence of crimes being committed.ⁱ
7. Vanuatu is yet to ratify and implement a range of core human rights treaties outlined in the recommendations.

THE HUMAN RIGHTS SITUATION ON THE GROUND

Freedom of expression

8. The right to freedom of expression lacks adequate protection in law and practice. In November 2019, a foreign journalist had his visa cancelled over what he believes was reporting about China's influence in the country.ⁱⁱ He was allowed to return to his family in Vanuatu after the Supreme Court ruled his visa suspension was unlawful, with the final case decided in his favour in March 2023.ⁱⁱⁱ
9. CIVICUS has ranked the civic space in Vanuatu as 'narrowed'^{iv} amid ongoing concerns about the criminalisation of freedom of expression online, including under the Cybercrime Act No.22 of 2021^v as well as the re-introduction of criminal defamation provisions under Articles 120 and 121 of Vanuatu's Penal Code Act.
10. In May 2022, four people across separate islands were arrested for alleging on social media that two politicians breached Covid-19 regulations, leading to transmissions while the nation's borders were closed. These were the first arrests under Vanuatu's Cyber law and the individuals face up to three years imprisonment. An opposition leader who made similar allegations online was not charged.^{vi}

11. In November 2023, public consultations will be held on the Vanuatu Non-Governmental Organisations (NGOs) Act. Amnesty International urges Vanuatu to ensure any legislation is aimed at creating a safe and enabling environment for civic space, freedom of expression, association and assembly and the protection of human rights defenders.

Women and girls

12. Abortion is illegal in most circumstances under the provisions of section 117 of the Vanuatu Penal Code, Act No. 17 of 1981, except for 'good medical reasons' which is highly restrictive and incompatible with international human rights law and standards.
13. Early and forced marriage remains a challenge for gender equality.^{vii} Cultural practices such as bride price incentivises early and forced marriage. In 2021, the Marriage Act was amended to recognise all religious, civil and customary marriages, however in practice not all marriages are registered.
14. In spite of some government efforts, violence against women remains consistently high (around 60% of women are estimated to experience family violence).^{viii} More needs to be done to ensure access to health care and psycho-social support for women and girls experiencing violence, as well as providing appropriate resources to prevent and respond to violence against women. The Penal Code should explicitly list spousal rape as an offence.

Non-discrimination and marginalised groups

15. Vanuatu's Constitution prohibits discrimination on the 'grounds of race, place of origin, religious or traditional beliefs, political opinions, language or sex' (Article 5, Vanuatu Constitution).
16. Same sex sexual activity is lawful between consenting adults over the age of 18 years, however people continue to face stigma and discrimination on the basis of their sexual orientation and gender identity. Same sex relationships do not have the same legal protection as a heterosexual marriage and are not recognised under the Family Protection Act 2008. This affects many rights of same sex partners and also limits their ability to seek protection orders in cases of domestic violence.
17. Vanuatu has a National Disability Inclusive Development Policy 2018-2025,^{ix} however it is unclear how the government is tracking progress on implementation of this policy due to a lack of updated data. There are no comprehensive anti-discrimination laws that prohibit discrimination on the basis of disability.
18. An increasing number of ni-Vanuatu people have taken the opportunity to work under visa schemes in Australia and New Zealand (with an estimate 7,000 people in Australia in 2022).^x In some cases, there have been reports of misleading recruitment practices, exploitation and discrimination by employers abroad.^{xi} The Vanuatu government should continue to work to reduce risks of exploitation of its nationals working overseas.^{xii}

Abuses in the criminal justice system

19. Ill treatment by police and prison officials is not uncommon, resulting in a lack of trust in the criminal justice system. Policing could be improved with strong, independent and effective accountability mechanisms. In May 2023 the Police Commissioner was suspended for threatening tourists,^{xiii} and in April 2022, three police officers were suspended after it was alleged they assaulted some youths.^{xiv} While officers were suspended pending investigation in both cases, it is not clear whether they faced disciplinary measures or criminal charges. Vanuatu should ensure effective, impartial, prompt and independent investigations by establishing a separate body to receive and investigate complaints against the police.
20. There are no adequate laws and policies to deal with youth offenders that is both age appropriate and human rights compliant. Children as young as 10 may be liable for criminal acts, and a new detention centre for people under the age of 21 was opened in August 2021.^{xv} Detention of children should always be a last resort and alternatives to detention should be prioritised.

21. Problems with over-crowding and unsanitary conditions persist in the prison system, with around a third of detained persons being held in pre-trial detention.^{xvi}
22. In an annual survey of human rights practitioners conducted by the Human Rights Measurement Initiative (New Zealand), compared to other countries in the Pacific, Vanuatu is performing close to average on the right to be safe from the state, with no improvement over the years 2019-2021.^{xvii}
23. Vanuatu does not have a military, but reports suggest this is being considered.^{xviii} Amnesty International urges Vanuatu to focus its efforts on improving the effectiveness and accountability of existing law enforcement agencies, ratifying and implementing the Optional Protocol to the Convention against Torture and other forms of ill-treatment, before considering additional armed forces.

Climate crisis

26. The Pacific Island region contributes less than 0.03% to global emissions, yet it is particularly at risk of the damaging impacts of climate change such as rising sea levels and increased severe weather events. Vanuatu is at high risk of coastal erosion, tidal surges, longer-lasting droughts and more frequent tropical cyclones.^{xix}
27. Vanuatu revised and enhanced its commitments to tackle the climate crisis in August 2022, registering its plans with the UN to phase out fossil fuels and rely on 100% renewable energy by 2030, being one of only 12 countries to do so.^{xx}

RECOMMENDATIONS FOR ACTION BY THE STATE UNDER REVIEW

Amnesty International calls on the government of Vanuatu to:

The National Human Rights Framework

28. Ratify and implement the core human rights treaties including the Second Optional Protocol to the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Economic, Social and Cultural Rights, the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Labour Organization (ILO) Protocol of 2014 to the Forced Labour Convention 1930 (No. 29), ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the UN Convention against Transnational Organized Crime.
29. Prioritise efforts to establish a national human rights institution in compliance with the Paris Principles and seek technical assistance where necessary.

Freedom of expression

30. Repeal Articles 120 and 121 of the Penal Code Act (as amended in 2021) that criminalise defamation and are incompatible with international human rights laws and standards on acceptable limitations on the right to freedom of expression.
31. Amend the Cybercrime Act No 22 of 2021 to be consistent with international human rights laws and standards on the right to freedom of expression.
32. Refrain from any reprisals or acts of intimidation, including deregistration of news outlets or visa cancellations, against journalists, civil society organisations and other individuals merely for peacefully exercising their right to freedom of expression or for expressing a political opinion or belief.
33. Immediately and unconditionally drop charges against the four individuals who were the first charged under the Cybercrime Act.

Women's rights

34. Repeal section 117 of the Penal Code Act to ensure universal, safe and legal access to voluntary termination of pregnancy for all women, girls and pregnant people and guarantee the provision of relevant services, including post-abortion care and evidence-based abortion information.
35. Increase the age of marriage for girls from 16 years of age (with parental consent) to 18 years of age in line with international human rights standards and implement awareness programs to tackle early and forced marriage.
36. Ensure all persons, including those on outer islands, are encouraged and able to register all births, deaths and marriages.
37. Implement measures that address root causes of cultural practices that discriminate against women such as bride price.
38. Review the civil and traditional legal systems to bring them in line with international standards of the Convention on the Elimination of All Forms of Discrimination against Women.
39. Put in place a comprehensive strategy to address discriminatory gender stereotypes and patriarchal attitudes.
40. Establish effective measures to ensure that women are proportionately represented in the national Parliament, as well as active policies to reverse social discrimination affecting women and protect them in cases of gender-based violence.
41. Continue to strengthen the Department of Women's Affairs and intensify efforts to combat gender-based violence, ensuring that perpetrators of such acts are duly prosecuted and that the police, prosecutors, judges and lawyers are provided with gender-sensitivity training.
42. Ensure allocation of adequate resources for the training of law enforcement and medical personnel, for investigations and the prosecution of perpetrators of these crimes, and for provision of holistic services for survivors.
43. Amend all relevant legislation and introduce new legislations to ensure gender equality and prohibition of discrimination based on gender, covering direct and indirect discrimination in both the public and private spheres, and take all necessary measures in order to enforce and implement them.
44. Amend the definition of 'rape' in the Penal Code [Cap 135] to explicitly include spousal rape as an offence.

Non-discrimination and marginalised groups

45. Enact comprehensive anti-discrimination laws that include discrimination on the basis of sex, sexual orientation, gender identity, sex characteristics, disability, race, political opinion and religious beliefs.
46. Ensure same sex relationships are recognised by government agencies as equal in status to marriages or de facto relationships between a man and a woman, including under the Family Protection Act.
47. Put in place measures, including anti-discrimination measures and awareness-raising campaigns, to eliminate stigma, discrimination and violence against lesbian, gay, bisexual, transgender and intersex persons.
48. Work with the Australian and New Zealand governments to ensure that ni-Vanuatians working in either country have adequate rights and protections guaranteed and to mitigate the risk of worker's exploitation and discrimination.

Criminal Justice System

49. Adopt child justice legislation that establishes specialized procedures and courts and raises the minimum age of criminal responsibility to at least 14 years of age, in accordance with international standards.
50. Ratify and implement the Optional Protocol on the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and ensure security officers receive adequate training on use of force and firearms on a regular basis.
51. Address problems with the prison system, including over-crowding and unsanitary conditions, and reduce the numbers of detainees held on remand.

Climate Crisis

52. Ensure inclusive consultation, particularly with marginalised individuals including women, those living in outer islands; people with disabilities; and lesbian, gay, bisexual, transgender and intersex people, in the National Advisory Board on Climate Change and Disaster Risk Reduction and the disaster and climate change committees, ensuring their effective participation in the planning, decision-making and implementation processes of the National Policy on Climate Change and Disaster Risk Reduction.
53. Further mainstream human rights in the formulation of policies and measures taken towards the mitigation and adaptation to climate change. In this regard, seek support, examples, and lessons from other countries facing significant adaptation challenges, as well as from international organisations, civil society, states, and other actors with technical capacity in this area.

ANNEX 1

MATRIX OF RECOMMENDATIONS FROM THE PREVIOUS CYCLE, WITH COMMENTS ON PROGRESS

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
Theme: A21 National Mechanisms for Reporting and Follow-up (NMRF)			
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 (Cabo Verde); Source of position: A/HRC/41/10 - Para. 90	Supported	A21 National Mechanisms for Reporting and Follow-up (NMRF) S Sustainable Development Goal implementation Affected persons: - general	Implemented – Vanuatu has a 2030 People’s Plan for following up on SDGs Vanuatu 2030 (gov.vu)
Theme: A27 Follow-up to Universal Periodic Review (UPR)			
90.1 Establish a human rights recommendations plan, aligned with the Sustainable Development Goals and integrating all accepted recommendations from the universal periodic review (Cabo Verde); Source of position: A/HRC/41/10 - Para. 90	Supported	A27 Follow-up to Universal Periodic Review (UPR) S Sustainable Development Goal implementation Affected persons: - general	See above
90.2 Integrate good practices of implementation of recommendations from the universal periodic review into national reviews (Cabo Verde); Source of position: A/HRC/41/10 - Para. 90	Supported	A27 Follow-up to Universal Periodic Review (UPR) S Sustainable Development Goal implementation Affected persons: - general	Not implemented
Theme: A3 Inter-State cooperation & development assistance			
90.31 Adopt all necessary measures, including through international cooperation, to guarantee the quality of health facilities and improve access to basic health-care services in order to combat child mortality (Mexico); Source of position: A/HRC/41/10 - Para. 90	Supported	A3 Inter-State cooperation & development assistance E41 Right to health - General S03 SDG 3 - health Affected persons: - children	Partly implemented – child mortality rates continue to trend downwards, but access to appropriate health care, particularly for outer islands, can be improved.

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>90.3 Seek technical assistance, in accordance with the country's particular needs, so as to enhance its capacity in the field of human rights (Bahamas);</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>A3 Inter-State cooperation & development assistance</p> <p>S Sustainable Development Goal implementation</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general 	<p>Implemented – Vanuatu received international assistance on a range of issues. See for example, Australian government aid assistance to Vanuatu on human rights and SDGs</p> <p>2020-21 Vanuatu Development Program Progress Report (dfat.gov.au)</p>
Theme: A41 Constitutional and legislative framework			
<p>90.59 Take effective measures to eliminate sexual violence and abuse of women and children, in particular at school, within the family and in the community, including by criminalizing these conducts and bringing perpetrators to account, and ensure the provision of skilled medical and psychological aid to the victims (Portugal);</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>A41 Constitutional and legislative framework</p> <p>B52 Impunity</p> <p>F13 Violence against women</p> <p>F33 Children: protection against exploitation</p> <p>S05 SDG 5 - gender equality and women's empowerment</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - women - children 	<p>Partly implemented – Vanuatu has various initiatives aimed at reducing violence against women which has a prevalence rate of 60%, in partnership with bilateral and international partners. See UN Women for current plans to address violence against women 8-Vanuatu-Country-Summary-FINAL-21.06.22.pdf (unwomen.org)</p>
<p>90.16 Implement the measures on climate change and disaster risk reduction, guaranteeing a focus on human rights, the incorporation of the gender perspective and the prioritization of vulnerable groups (Chile);</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>A41 Constitutional and legislative framework</p> <p>B71 Human rights and the environment</p> <p>F12 Discrimination against women</p> <p>S05 SDG 5 - gender equality and women's empowerment</p> <p>S13 SDG 13 - climate change</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - women 	<p>Not implemented.</p>
<p>90.22 Continue to review relevant domestic legislation relating to detainees, and invest further in prison infrastructure to ensure humane treatment and living conditions for all its detainees (New Zealand);</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>A41 Constitutional and legislative framework</p> <p>D26 Conditions of detention</p> <p>E21 Right to an adequate standard of living - general</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - persons deprived of their liberty 	<p>Not implemented.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>90.23 Create the necessary legislation to address trafficking in persons, in particular women and girls (Guyana);</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>A41 Constitutional and legislative framework D27 Prohibition of slavery, trafficking S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - women - girls 	<p>Implemented, but greater psycho-social support and legal aid for victims could be provided to ensure they can fully access rights.</p> <p>Trafficking for sexual and labour exploitation is criminalised in Vanuatu. In 2022, sentences of 6-14 years in prison were imposed in a trafficking case of 101 Bangladeshi workers, being the largest trafficking case to date in a Pacific Island country. See: Vanuatu court sentences four Bangladeshis for trafficking and slavery RNZ News</p>
<p>90.84 Adopt juvenile justice legislation that establishes specialized procedures and courts and raises the minimum age of criminal responsibility in accordance with international standards (Mexico);</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>A41 Constitutional and legislative framework D51 Administration of justice & fair trial F34 Children: Juvenile justice S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - children 	<p>Not implemented</p> <p>Under Vanuatu's Penal Code (art 17) the age of criminal responsibility is at 10 years old, with children aged 10-14 still potentially liable for criminal acts if proven they can distinguish between right and wrong. In 2021, Vanuatu opened its first juvenile detention centre for offenders under the age of 21 years. See: Vanuatu opens its first youth detention centre - VBTC</p>
<p>90.58 Increase efforts to combat gender discrimination, harmful practices and violence against women through strong legislation and implementation (Nepal);</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>A41 Constitutional and legislative framework F12 Discrimination against women F13 Violence against women S05 SDG 5 - gender equality and women's empowerment</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - women 	<p>Not implemented</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>90.55 Expand measures to address violence, including sexual violence, especially against women and children, by enforcing the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child and incorporating the human rights obligations into domestic legislation (Germany);</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>A41 Constitutional and legislative framework F12 Discrimination against women F31 Children: definition; general principles; protection S05 SDG 5 - gender equality and women's empowerment</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - women - children 	Not implemented.
<p>90.9 Amend all relevant legislation so as to incorporate fully the principles of gender equality and prohibition of discrimination based on gender, covering direct and indirect discrimination in both the public and private spheres, and take all necessary measures in order to enforce such principles (Portugal);</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>A41 Constitutional and legislative framework F12 Discrimination against women S05 SDG 5 - gender equality and women's empowerment</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - women 	Not implemented.
<p>90.76 Continue to promote legislation prohibiting all violence against children within the framework of the Government's commitments and its Vanuatu National Child Protection Policy, 2016–2026 (Albania);</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>A41 Constitutional and legislative framework F31 Children: definition; general principles; protection F32 Children: family environment and alternative care</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - children 	Not implemented.
<p>90.77 Take legislative action to adopt laws prohibiting corporal punishment of children in all settings (Algeria);</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>A41 Constitutional and legislative framework F32 Children: family environment and alternative care</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - children 	Not implemented.
Theme: A42 Institutions & policies - General			
<p>90.34 Adopt a comprehensive health policy, and increase support to reproductive health and family planning services (Angola);</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>A42 Institutions & policies - General D8 Rights related to marriage & family E41 Right to health - General E43 Access to sexual and reproductive health and services S03 SDG 3 - health</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - women 	Not implemented.
Theme: A45 National Human Rights Institution (NHRI)			

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>90.4 Set up its national human rights institution (Mauritius); 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);</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>A45 National Human Rights Institution (NHRI)</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general 	<p>Not implemented – Vanuatu began a consultation on a NHRI with the support of SPC in 2021, but no legislation establishing the institution has been put to parliament.</p>
Theme: A47 Good governance			
<p>90.27 Exert more effort to prevent brutality and other criminal acts perpetrated by members of the policing institution (Indonesia);</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>A47 Good governance</p> <p>A43 Human rights policies</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - law enforcement / police officials 	Not implemented.
<p>90.25 Address the lack of accountability for police abuse and corruption by the Vanuatu Mobile Force and the Vanuatu Police Force through investigations and prosecutions (United States of America);</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>A47 Good governance</p> <p>B51 Right to an effective remedy</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general 	Not implemented.
Theme: B31 Equality & non-discrimination			
<p>90.88 Step up measures aimed at improving the protection of persons with disabilities, particularly through public policies that guarantee their integration and combat all forms of discrimination against them (Argentina);</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>B31 Equality & non-discrimination</p> <p>F4 Persons with disabilities</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - persons with disabilities 	Not implemented.
Theme: B52 Impunity			

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>90.51 Ensure the investigation and punishment of perpetrators of sexual violence against women and girls in schools (Argentina);</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>B52 Impunity F13 Violence against women S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons: - women</p>	Not implemented.
<p>90.53 Ensure that perpetrators of violence against women are duly prosecuted and punished with sentences that are commensurate with the seriousness of their crimes (Belgium);</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>B52 Impunity F13 Violence against women S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons: - women</p>	Not implemented.
<p>90.54 Combat violence against women and children, including by putting in place a mechanism to protect victims and fight impunity of the perpetrators of these violations (France);</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>B52 Impunity F13 Violence against women S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons: - women</p>	Not implemented.
Theme: B71 Human rights and the environment			
<p>90.17 Include women, including those living in outer islands, in the National Advisory Board on Climate Change and Disaster Risk Reduction and the disaster and climate change committees, ensuring their effective participation in the planning, decision-making and implementation processes of the National Policy on Climate Change and Disaster Risk Reduction (Fiji);</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>B71 Human rights and the environment F12 Discrimination against women S05 SDG 5 - gender equality and women's empowerment S13 SDG 13 - climate change</p> <p>Affected persons: - women</p>	Not implemented.
<p>90.18 Include in its policies on gender a section on the impact of climate change on women, and set out strategies for ensuring that women are part of decision-making on national climate action policies in accordance with the gender action plan under the United Nations Framework Convention on Climate Change (Fiji);</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>B71 Human rights and the environment F12 Discrimination against women S05 SDG 5 - gender equality and women's empowerment S13 SDG 13 - climate change</p> <p>Affected persons: - women</p>	Not implemented.

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>90.14 Continue to advance efforts in response to the effects of climate change with a focus on vulnerable groups, including women and children (Viet Nam); Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>B71 Human rights and the environment S13 SDG 13 - climate change Affected persons: - women - children - persons with disabilities</p>	Not implemented.
<p>90.15 Review the existing policies and programmes on climate change adaptation and mitigation in view of ensuring that a human rights-based approach has been adopted (Seychelles); Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>B71 Human rights and the environment S13 SDG 13 - climate change Affected persons: - general</p>	Not implemented.
<p>90.19 Continue to promote stronger mitigation action by all other States, in particular the main current and historical emitters, in order to protect the fundamental rights of the people of Vanuatu (Fiji); Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>B71 Human rights and the environment S13 SDG 13 - climate change Affected persons: - general</p>	<p>Implemented.</p> <p>Vanuatu has been consistently strong in calling for better international mitigation action by other states and initiated the UNGA Resolution calling for an ICJ Advisory Opinion on the impacts of climate change.</p>
<p>90.20 Further mainstream human rights in the formulation of policies and measures taken towards the mitigation and adaptation to climate change. In this regard, seek from the international community the necessary technical and capacity-building assistance (Mauritius); Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>B71 Human rights and the environment S13 SDG 13 - climate change Affected persons: - general</p>	Not implemented.
<p>90.21 Intensify its efforts in implementing the National Policy on Climate Change and Disaster Risk Reduction, the Climate Change and Disaster-Induced Displacement Policy and the Strategic Plan 2016–2020 (Philippines); Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>B71 Human rights and the environment S13 SDG 13 - climate change Affected persons: - general</p>	Not implemented.
<p>90.24 Continue to protect the rights of persons displaced within its territory as a consequence of natural disasters (Albania); Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>B71 Human rights and the environment S13 SDG 13 - climate change G6 Internally displaced persons Affected persons: - internally displaced persons</p>	Not implemented.

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
Theme: B73 Human rights and climate change			
<p>90.96 Amend the emergency protocols to include support for the groups most vulnerable to natural disasters, particularly children with disabilities (Switzerland).</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>B73 Human rights and climate change F4 Persons with disabilities B71 Human rights and the environment S13 SDG 13 - climate change</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - children - persons with disabilities 	Not implemented.
Theme: D28 Gender-based violence			
<p>90.62 Expand its existing partnership and collaboration with community leaders to reduce domestic and gender-based violence in rural areas (Singapore);</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>D28 Gender-based violence D29 Domestic violence A61 Cooperation with civil society S05 SDG 5 - gender equality and women's empowerment</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - women 	Not implemented.
<p>90.64 Investigate and prosecute domestic violence and sexual abuse cases, and offer victim-centred support services (United States of America);</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>D28 Gender-based violence D29 Domestic violence B52 Impunity S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - women 	Not implemented.
<p>90.61 Continue efforts to eliminate gender-based violence, including domestic and sexual violence, by, for example, allocating adequate resources for the training of law enforcement and medical personnel, for investigations and the prosecution of perpetrators of these crimes, and for access to services for victims (Canada);</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>D28 Gender-based violence D29 Domestic violence S05 SDG 5 - gender equality and women's empowerment</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - women - law enforcement / police officials 	Not implemented.
<p>90.63 Continue to strengthen measures to combat gender-based violence and domestic violence (Maldives);</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>D28 Gender-based violence D29 Domestic violence S05 SDG 5 - gender equality and women's empowerment</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - women 	Not implemented.

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>90.73 Establish effective measures to ensure that women can be represented in the national Parliament, as well as active policies to reverse the social discrimination affecting women and protect them in cases of gender-based violence (Spain); Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>D28 Gender-based violence F12 Discrimination against women F13 Violence against women F14 Participation of women in political and public life S05 SDG 5 - gender equality and women's empowerment Affected persons: - women</p>	Not implemented.
Theme: D29 Domestic violence			
<p>90.65 Ensure protection orders, legal remedies and assistance for women victims of domestic violence and prosecute and punish perpetrators (Slovenia); Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>D29 Domestic violence B52 Impunity S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - women</p>	Partly implemented.
<p>90.60 Continue to combat domestic and gender-based violence and to promote access by women to leadership positions and their participation in politics, within the framework of the National Gender Equality Policy (Albania); Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>D29 Domestic violence F12 Discrimination against women F13 Violence against women F14 Participation of women in political and public life S05 SDG 5 - gender equality and women's empowerment Affected persons: - women</p>	Not implemented.
<p>90.50 Pursue efforts to prevent violence against women and domestic violence (Tunisia); Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>D29 Domestic violence F13 Violence against women S05 SDG 5 - gender equality and women's empowerment Affected persons: - women</p>	Partly implemented.
<p>90.66 Take further steps to protect women and children from domestic violence and abuse (New Zealand); Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>D29 Domestic violence F31 Children: definition; general principles; protection S05 SDG 5 - gender equality and women's empowerment Affected persons: - women - children</p>	Partly implemented.
Theme: D31 Liberty and security - general			
<p>90.79 Implement policies with a view to ending the practice of corporal punishment in its society (Indonesia); Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>D31 Liberty and security - general Affected persons: - general</p>	Not implemented.
Theme: D51 Administration of justice & fair trial			

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
90.94 Make greater efforts to ensure access to social services for persons with disabilities, in particular health care, education, access to legal services and participation in the workforce (Guyana); Source of position: A/HRC/41/10 - Para. 90	Supported	D51 Administration of justice & fair trial E24 Right to social security E31 Right to work E41 Right to health - General E51 Right to education - General F4 Persons with disabilities S03 SDG 3 - health S04 SDG 4 - education S08 SDG 8 - economic growth, employment, decent work Affected persons: - persons with disabilities	Not implemented.
90.26 Enhance the capacity of the judiciary, especially with regard to the backlog of court cases and the staffing of the Public Prosecutor's Office and the Public Solicitor's Office (Germany); Source of position: A/HRC/41/10 - Para. 90	Supported	D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - judges, lawyers and prosecutors	Not implemented.
Theme: D6 Rights related to name, identity, nationality			
90.81 Continue its ongoing work to ensure the universal registration of births (Sri Lanka); Source of position: A/HRC/41/10 - Para. 90	Supported	D6 Rights related to name, identity, nationality Affected persons: - general - stateless persons	Not implemented – last data from the World Bank was in 2013 showing only 43% of births are registered.
Theme: D7 Right to participation in public affairs and right to vote			
90.13 Strengthen efforts to achieve Sustainable Development Goals 4 and 5 by expanding access to education and by offering support programmes to encourage female entrepreneurship and participation in political life (Netherlands); Source of position: A/HRC/41/10 - Para. 90	Supported	D7 Right to participation in public affairs and right to vote E51 Right to education - General F11 Advancement of women S04 SDG 4 - education S05 SDG 5 - gender equality and women's empowerment Affected persons: - women	Not implemented – only one female MP in parliament, prior to this there were no women in parliament for 15 years.
Theme: E31 Right to work			
90.48 Pursue efforts to achieve gender equality, especially in employment and decision-making positions (Tunisia); Source of position: A/HRC/41/10 - Para. 90	Supported	E31 Right to work F12 Discrimination against women S05 SDG 5 - gender equality and women's empowerment Affected persons: - women	Not implemented.
Theme: E41 Right to health - General			

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>90.87 Create conditions, wherever possible, for access to health-care services and education for persons with disabilities (Angola);</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>E41 Right to health - General E51 Right to education - General F4 Persons with disabilities S03 SDG 3 - health</p> <p>Affected persons: - persons with disabilities</p>	<p>Not implemented</p> <p>While the Covid-19 pandemic saw an increased investment in health sector, access to health care services remains limited, particularly in rural and remote areas. Not all health conditions can be treated within Vanuatu.</p>
<p>90.93 Develop infrastructure that enables access to basic health services and education for children, including those with disabilities (France);</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>E41 Right to health - General E51 Right to education - General F4 Persons with disabilities S03 SDG 3 - health S04 SDG 4 - education</p> <p>Affected persons: - children - persons with disabilities</p>	See above
<p>90.29 Further promote access to basic health services, especially in the rural areas, with the aim of achieving universal health coverage (Viet Nam);</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>E41 Right to health - General S03 SDG 3 - health</p> <p>Affected persons: - persons living in rural areas</p>	See above
<p>90.30 Continue to give priority to the right to health, and implement effective measures to continue expanding access among rural populations (Cuba);</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>E41 Right to health - General S03 SDG 3 - health</p> <p>Affected persons: - persons living in rural areas</p>	See above
<p>90.32 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 (Portugal);</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>E41 Right to health - General S03 SDG 3 - health</p> <p>Affected persons: - general - persons living in rural areas</p>	See above
<p>90.33 Continue to ensure the improvement of medical health services in the country, including through further investments in the training of health-care professionals (Sri Lanka);</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>E41 Right to health - General S03 SDG 3 - health</p> <p>Affected persons: - general</p>	See above
Theme: F11 Advancement of women			

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>90.57 Continue to strengthen the Department of Women’s Affairs and intensify efforts to combat violence against women and girls, ensuring that perpetrators of such acts are duly prosecuted and convicted by the formal justice system and that the police, prosecutors, judges and lawyers are provided with appropriate training on women’s rights (Ireland);</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>F11 Advancement of women F12 Discrimination against women F13 Violence against women S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons: - women</p>	Not implemented/no information.
<p>90.56 Take immediate steps to improve women’s rights and prevent violence against women in accordance with the Convention on the Elimination of All Forms of Discrimination against Women (Indonesia);</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>F11 Advancement of women F13 Violence against women S05 SDG 5 - gender equality and women's empowerment</p> <p>Affected persons: - women</p>	Not implemented.
Theme: F12 Discrimination against women			
<p>90.6 Make increased efforts at eliminating all forms of discrimination, violence and abuse against women and children (Guyana);</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>F12 Discrimination against women F13 Violence against women F33 Children: protection against exploitation S05 SDG 5 - gender equality and women's empowerment</p> <p>Affected persons: - women - children</p>	Not implemented.
<p>90.5 Continue to promote gender equality, and protect the rights of women, children, persons with disabilities and other vulnerable groups (China);</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>F12 Discrimination against women F31 Children: definition; general principles; protection S05 SDG 5 - gender equality and women's empowerment</p> <p>Affected persons: - women - children - persons with disabilities - vulnerable persons/groups</p>	Not implemented.
<p>90.7 Reinforce measures to prevent discrimination against women and girls (Honduras);</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>F12 Discrimination against women S05 SDG 5 - gender equality and women's empowerment</p> <p>Affected persons: - women - girls</p>	Not implemented.

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
90.8 Review the outcome of the Vanuatu National Gender Equality Policy, 2015–2019, and strengthen measures to mainstream gender equality across government agencies (Philippines); Source of position: A/HRC/41/10 - Para. 90	Supported	F12 Discrimination against women S05 SDG 5 - gender equality and women's empowerment Affected persons: - women	Not implemented.
90.52 Continue to take wide-ranging action to address the levels of violence and discrimination against women and girls (Barbados); Source of position: A/HRC/41/10 - Para. 90	Supported	F12 Discrimination against women S05 SDG 5 - gender equality and women's empowerment Affected persons: - women	Partly implemented.
Theme: F13 Violence against women			
90.49 Continue to strengthen its mechanisms and policies to combat violence against women and girls (Trinidad and Tobago); Source of position: A/HRC/41/10 - Para. 90	Supported	F13 Violence against women S05 SDG 5 - gender equality and women's empowerment Affected persons: - women - girls	Partly implemented.
Theme: F14 Participation of women in political and public life			
90.69 Ensure that women are included and can actively participate in planning, decision-making and implementation processes concerning disaster risk reduction, post-disaster management and climate change policies (Barbados); Source of position: A/HRC/41/10 - Para. 90	Supported	F14 Participation of women in political and public life B71 Human rights and the environment S05 SDG 5 - gender equality and women's empowerment S13 SDG 13 - climate change Affected persons: - women	Partly implemented. Vanuatu's Climate Change and Disaster Risk Reduction Policy 2016–2030 considers vulnerable and marginalised groups including elderly, women, youth, children, disabled people, illiterate, landless, minority and impoverished – however the extent of inclusion, consultation and engagement with these people is unclear (see vanuatu_cc_drr_policy_attachment_4_print-1.pdf (nab.vu) and UNDRR's report from 2022 on Vanuatu download (undrr.org)).

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>90.71 Ensure that women, including those living on the outer islands, are included and actively participate in national planning, decision-making and implementation processes, in particular concerning disaster risk reduction, post-disaster management and climate change policies (Iceland);</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>F14 Participation of women in political and public life B71 Human rights and the environment S05 SDG 5 - gender equality and women's empowerment S13 SDG 13 - climate change</p> <p>Affected persons: - women</p>	See above.
<p>90.67 Increase the quota for the all-inclusive participation of women in public and decision-making processes (Angola);</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>F14 Participation of women in political and public life S05 SDG 5 - gender equality and women's empowerment</p> <p>Affected persons: - women</p>	See above.
<p>90.68 Take steps to encourage female candidates' participation in the 2020 national elections (Australia);</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>F14 Participation of women in political and public life S05 SDG 5 - gender equality and women's empowerment</p> <p>Affected persons: - women</p>	<p>Partly implemented.</p> <p>While one female MP was successfully elected, there were no affirmative action initiatives taken to increase the representation of women in parliament more substantively.</p>
<p>90.70 Take concrete steps to support and increase women's participation in the political sphere, by, for example, setting targets to improve the representation of women in Parliament (Canada);</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>F14 Participation of women in political and public life S05 SDG 5 - gender equality and women's empowerment</p> <p>Affected persons: - women</p>	<p>Not implemented.</p> <p>Present laws, policies and practices are clearly insufficient to ensure appropriate representation of women.</p>
<p>90.72 Continue to increase its efforts to encourage the representation of women in Parliament and in other aspects of public life (New Zealand);</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>F14 Participation of women in political and public life S05 SDG 5 - gender equality and women's empowerment</p> <p>Affected persons: - women</p>	<p>Not implemented.</p>
<p>Theme: F31 Children: definition; general principles; protection</p>			

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>90.75 Pursue efforts to promote and protect the rights of children (Tunisia); Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>F31 Children: definition; general principles; protection Affected persons: - children</p>	<p>Not implemented. Vanuatu has failed to fully address corporal punishment of children in all settings through law reform and protect the rights of children, particularly in terms of addressing domestic violence and providing an appropriate juvenile justice system.</p>
<p>90.83 Redouble efforts to ensure that children’s rights are in conformity with the provisions of the Convention on the Rights of the Child, with a particular focus on the juvenile justice system and the prohibition of corporal punishment in all areas of society and as a sentence for crimes (Uruguay); Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>F31 Children: definition; general principles; protection F32 Children: family environment and alternative care F34 Children: Juvenile justice S16 SDG 16 - peace, justice and strong institutions Affected persons: - children</p>	<p>Not implemented.</p>
<p>90.78 Redouble efforts to prevent and combat the multiple and intersecting forms of discrimination to which children are subjected based on gender and disability (Honduras); Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>F31 Children: definition; general principles; protection F4 Persons with disabilities Affected persons: - children - persons with disabilities</p>	<p>Not implemented.</p>
<p>90.91 Take appropriate measures to enhance the system for collecting data on children with disabilities with a view to strengthening the protection of their rights (Bulgaria); Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>F31 Children: definition; general principles; protection F4 Persons with disabilities Affected persons: - children - persons with disabilities</p>	<p>Not implemented.</p>
<p>90.80 Further strengthen government capacity with a view to the effective implementation of the National Child Protection Policy, 2016–2026 (Philippines); Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>F31 Children: definition; general principles; protection S16 SDG 16 - peace, justice and strong institutions Affected persons: - children</p>	<p>Not implemented.</p>
Theme: F4 Persons with disabilities			
<p>90.86 Continue its efforts to ensure respect for persons with disabilities (Algeria); Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>F4 Persons with disabilities Affected persons: - persons with disabilities</p>	<p>Not implemented.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>90.95 Carry out the necessary reforms to ensure respect for the principle of equality of persons with disabilities in law and in practice (Spain);</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>F4 Persons with disabilities B31 Equality & non-discrimination</p> <p>Affected persons: - persons with disabilities</p>	Not implemented.
<p>90.92 Continue efforts to implement the Convention on the Rights of Persons with Disabilities, in particular by ensuring access to public places and equitable access to medical equipment and services for persons with disabilities (Canada);</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>F4 Persons with disabilities E42 Access to health-care (general) S03 SDG 3 - health</p> <p>Affected persons: - persons with disabilities</p>	Not implemented.
<p>90.89 Continue to identify and allocate resources to protect and promote the rights of persons with disabilities (Barbados);</p> <p>Source of position: A/HRC/41/10 - Para. 90</p>	Supported	<p>F4 Persons with disabilities S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons: - persons with disabilities</p>	Not implemented.
<p>Theme: A12 Acceptance of international norms</p>			

<p>91.1 Consider ratifying the main international human rights instruments, particularly the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, the International Convention on the Elimination of All Forms of Racial Discrimination and the International Covenant on Economic, Social and Cultural Rights (Uruguay); Consider acceding to the international human rights instruments to which it is not yet a party (Honduras); Ratify a number of core international human rights instruments, namely the International Covenant on Economic, Social and Cultural Rights and the International Convention on the Elimination of All Forms of Racial Discrimination (Indonesia); Consider acceding to the main international human rights instruments to which it is not yet a party, including the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Italy); Ratify the main international human rights conventions to which it is not yet a party, in particular the International Covenant on Economic, Social and Cultural Rights (Switzerland); Consider acceding to the International Covenant on Economic, Social and Cultural Rights and the International Convention on the Elimination of All Forms of Racial Discrimination (Trinidad and Tobago) (Tunisia); Continue its current efforts to ratify the International Covenant on Economic, Social and Cultural Rights and the International Convention on the Elimination of All Forms of Racial Discrimination (Bahamas); Sign and ratify the International Covenant on Economic, Social and Cultural Rights (France); Become a party to the International Covenant on Economic, Social and Cultural Rights (Seychelles); Ratify the International Covenant on Economic, Social and Cultural Rights (Cabo Verde) (Iraq) (Ukraine) (Mauritius) (Montenegro) (Senegal) (Togo);</p>	<p>Noted</p>	<p>A12 Acceptance of international norms B32 Racial discrimination D1 Civil & political rights - general measures of implementation D23 Death penalty D25 Prohibition of torture and cruel, inhuman or degrading treatment E1 Economic, social & cultural rights - general measures of implementation S16 SDG 16 - peace, justice and strong institutions Affected persons: - general</p>	<p>Not implemented.</p>
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Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
Source of position: A/HRC/41/10 - Para. 91			
91.5 Ratify the International Convention on the Elimination of All Forms of Racial Discrimination (France) (Iraq) (Senegal) (Togo) (Ukraine); Consider acceding to the International Convention on the Elimination of All Forms of Racial Discrimination (Trinidad and Tobago); Source of position: A/HRC/41/10 - Para. 91	Noted	A12 Acceptance of international norms B32 Racial discrimination S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented.
91.2 Accede to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, to prevent the introduction of the death penalty (Australia); Source of position: A/HRC/41/10 - Para. 91	Noted	A12 Acceptance of international norms D1 Civil & political rights - general measures of implementation D23 Death penalty S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented. *Vanuatu is abolitionist in practice but in 2019 the chiefs of Tanna asked the Vanuatu government to introduce the death penalty after a murder. No media updates since that time.
91.3 Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Denmark) (France) (United Kingdom of Great Britain and Northern Ireland); Source of position: A/HRC/41/10 - Para. 91	Noted	A12 Acceptance of international norms D25 Prohibition of torture and cruel, inhuman or degrading treatment S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - persons deprived of their liberty	Not implemented.
91.10 Ratify and implement the International Labour Organization (ILO) Protocol of 2014 to the Forced Labour Convention, 1930 (No. 29) (United Kingdom of Great Britain and Northern Ireland); Source of position: A/HRC/41/10 - Para. 91	Noted	A12 Acceptance of international norms D27 Prohibition of slavery, trafficking E32 Right to just and favourable conditions of work S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented.
91.7 Ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (Ukraine) (Montenegro); Source of position: A/HRC/41/10 - Para. 91	Noted	A12 Acceptance of international norms D27 Prohibition of slavery, trafficking S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not implemented.
91.4 Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (France) (Togo); Source of position: A/HRC/41/10 - Para. 91	Noted	A12 Acceptance of international norms D32 Enforced disappearances S16 SDG 16 - peace, justice and strong institutions Affected persons: - disappeared persons	Not implemented.

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
91.11 Ratify the Indigenous and Tribal Peoples Convention, 1989 (No. 169), of the International Labour Organization (Denmark); Source of position: A/HRC/41/10 - Para. 91	Noted	A12 Acceptance of international norms E32 Right to just and favourable conditions of work G3 Indigenous peoples S16 SDG 16 - peace, justice and strong institutions Affected persons: - Indigenous peoples	Not implemented.
91.8 Consider ratifying the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Georgia); Source of position: A/HRC/41/10 - Para. 91	Noted	A12 Acceptance of international norms F31 Children: definition; general principles; protection S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Not implemented.
91.12 Become a party to the Convention relating to the Status of Refugees (1951) and its Protocol (1967), and update its Immigration Act to include a provision on refugee protection (New Zealand); Source of position: A/HRC/41/10 - Para. 91	Noted	A12 Acceptance of international norms G4 Migrants G5 Refugees & asylum seekers S16 SDG 16 - peace, justice and strong institutions Affected persons: - refugees & asylum seekers	Not implemented.
91.6 Consider taking steps towards accession to and ratification of more core human rights conventions, including the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Philippines); Source of position: A/HRC/41/10 - Para. 91	Noted	A12 Acceptance of international norms G4 Migrants S16 SDG 16 - peace, justice and strong institutions Affected persons: - migrants	Not implemented.
Theme: A22 Cooperation with treaty bodies			
91.13 Adopt an open, merit-based process for selecting national candidates for United Nations treaty body elections (United Kingdom of Great Britain and Northern Ireland); Source of position: A/HRC/41/10 - Para. 91	Noted	A22 Cooperation with treaty bodies Affected persons: - general	Not implemented.
Theme: A41 Constitutional and legislative framework			
91.31 Adopt laws that explicitly prohibit polygamy and enable the registration of all customary marriages (Slovenia); Source of position: A/HRC/41/10 - Para. 91	Noted	A41 Constitutional and legislative framework D8 Rights related to marriage & family S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Partly implemented.
91.33 Ensure as soon as possible the effective implementation of the Family Protection Act, in particular by allocating adequate resources to the units responsible for the protection of families (Switzerland); Source of position: A/HRC/41/10 - Para. 91	Noted	A41 Constitutional and legislative framework D8 Rights related to marriage & family S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Partly implemented.

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>91.34 Revise legislation so that women can access legal, safe and voluntary termination of pregnancy and guarantee the provision of the relevant medical services (Iceland);</p> <p>Source of position: A/HRC/41/10 - Para. 91</p>	Noted	<p>A41 Constitutional and legislative framework</p> <p>E43 Access to sexual and reproductive health and services</p> <p>F1 Women</p> <p>S05 SDG 5 - gender equality and women's empowerment</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - women 	<p>Not implemented.</p> <p>Abortion remains illegal in most cases.</p>
<p>91.20 Amend the Constitution and other relevant legislation to incorporate fully the principle of equality between women and men and the prohibition of discrimination based on sex and gender, covering direct and indirect discrimination in both the public and private spheres (Armenia);</p> <p>Source of position: A/HRC/41/10 - Para. 91</p>	Noted	<p>A41 Constitutional and legislative framework</p> <p>F12 Discrimination against women</p> <p>B31 Equality & non-discrimination</p> <p>S05 SDG 5 - gender equality and women's empowerment</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - women - lesbian, gay, bisexual, transgender and intersex persons (LGBTI) 	<p>Not implemented.</p> <p>Discrimination based on sex is prohibited under the Constitution, but there are no comprehensive Anti-Discrimination Laws.</p>
<p>91.23 Incorporate the principle of gender equality into the Constitution, as well as the prohibition of discrimination based on disability (Mexico);</p> <p>Source of position: A/HRC/41/10 - Para. 91</p>	Noted	<p>A41 Constitutional and legislative framework</p> <p>F12 Discrimination against women</p> <p>F4 Persons with disabilities</p> <p>S05 SDG 5 - gender equality and women's empowerment</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - women - persons with disabilities 	<p>Not implemented.</p> <p>The Constitution does not prohibit discrimination on the basis of disability, gender identity or sexual orientation.</p>
<p>91.17 Amend the constitutional and other relevant legal acts, in order to incorporate the principles of gender equality into the legal system, both in the public and private spheres (Serbia);</p> <p>Source of position: A/HRC/41/10 - Para. 91</p>	Noted	<p>A41 Constitutional and legislative framework</p> <p>F12 Discrimination against women</p> <p>S05 SDG 5 - gender equality and women's empowerment</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - women 	<p>Not implemented.</p>
<p>91.18 Fully incorporate the principle of equality between women and men and the prohibition of discrimination based on sex and gender, covering direct and indirect discrimination in both the public and private spheres (Ukraine);</p> <p>Source of position: A/HRC/41/10 - Para. 91</p>	Noted	<p>A41 Constitutional and legislative framework</p> <p>F12 Discrimination against women</p> <p>S05 SDG 5 - gender equality and women's empowerment</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - women 	<p>Not implemented.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>91.22 Amend its Constitution and other relevant legislation to fully incorporate the principle of equality between women and men and prohibit both direct and indirect discrimination in both the public and private spheres (Iceland);</p> <p>Source of position: A/HRC/41/10 - Para. 91</p>	Noted	<p>A41 Constitutional and legislative framework</p> <p>F12 Discrimination against women</p> <p>S05 SDG 5 - gender equality and women's empowerment</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - women 	<p>Not implemented.</p>
<p>91.32 Revise legislation to raise the minimum age for marriage in compliance with international human rights standards (Iceland);</p> <p>Source of position: A/HRC/41/10 - Para. 91</p>	Noted	<p>A41 Constitutional and legislative framework</p> <p>F31 Children: definition; general principles; protection</p> <p>D8 Rights related to marriage & family</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - children 	<p>Not implemented.</p>
<p>91.16 Adopt the necessary measures in the legislative sphere to define and classify all forms of crimes provided for in the Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography (Honduras);</p> <p>Source of position: A/HRC/41/10 - Para. 91</p>	Noted	<p>A41 Constitutional and legislative framework</p> <p>F31 Children: definition; general principles; protection</p> <p>F33 Children: protection against exploitation</p> <p>F35 Children in armed conflict</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - children 	<p>Not implemented.</p>
<p>Theme: A62 Statistics and indicators</p>			
<p>91.39 Conduct and make publicly available mapping studies and data collection on statelessness, access to legal identity, and birth registration in the country (United States of America).</p> <p>Source of position: A/HRC/41/10 - Para. 91</p>	Noted	<p>A62 Statistics and indicators</p> <p>D6 Rights related to name, identity, nationality</p> <p>G7 Stateless persons</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - stateless persons 	<p>Not implemented.</p> <p>There is no up to date public information on births, deaths and marriage registration.</p>
<p>Theme: B31 Equality & non-discrimination</p>			
<p>91.24 Put in place measures, including anti-discrimination measures and awareness-raising campaigns, to eliminate discrimination and violence against lesbian, gay, bisexual, transgender and intersex persons (Canada);</p> <p>Source of position: A/HRC/41/10 - Para. 91</p>	Noted	<p>B31 Equality & non-discrimination</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - lesbian, gay, bisexual, transgender and intersex persons (LGBTI) 	<p>Not implemented.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
91.26 Enhance the rights of lesbian, gay, bisexual, transgender and intersex people by protecting them effectively from violence and discrimination (Germany); Source of position: A/HRC/41/10 - Para. 91	Noted	B31 Equality & non-discrimination S16 SDG 16 - peace, justice and strong institutions Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)	Not implemented.
91.27 Make further efforts to protect lesbian, gay, bisexual, transgender and intersex persons and integrate them into society (Iceland); Source of position: A/HRC/41/10 - Para. 91	Noted	B31 Equality & non-discrimination S16 SDG 16 - peace, justice and strong institutions Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)	Not implemented.
91.28 Continue working to consolidate the civil rights of persons belonging to the lesbian, gay, bisexual, transgender and intersex community (Spain); Source of position: A/HRC/41/10 - Para. 91	Noted	B31 Equality & non-discrimination S16 SDG 16 - peace, justice and strong institutions Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)	Not implemented.
91.29 Implement specific measures to combat all forms of discrimination, including discrimination based on sexual orientation and gender identity, in order to guarantee the enjoyment of rights by lesbian, gay, bisexual, transgender and intersex persons (Uruguay); Source of position: A/HRC/41/10 - Para. 91	Noted	B31 Equality & non-discrimination S16 SDG 16 - peace, justice and strong institutions Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)	Not implemented.

Theme: D27 Prohibition of slavery, trafficking

91.15 Continue to carry out policies to protect and promote the human rights of vulnerable groups, such as women, children and persons with disabilities, and to prevent and combat all forms of violence and discrimination against them, including domestic violence and human trafficking (Italy); Source of position: A/HRC/41/10 - Para. 91	Noted	D27 Prohibition of slavery, trafficking D29 Domestic violence F12 Discrimination against women F4 Persons with disabilities F31 Children: definition; general principles; protection S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women - children - persons with disabilities - vulnerable persons/groups	Partly implemented. Noting the successful case against Bangladeshi traffickers in Vanuatu, however, much more needs to be done to protect the rights of survivors and other vulnerable groups as well as tackling all forms of violence and discrimination.
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Theme: E51 Right to education - General

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>91.38 Consider developing a comprehensive disaster-sensitive social protection system for children with disabilities, and take steps to improve the physical safety and resilience of school infrastructure (Bulgaria);</p> <p>Source of position: A/HRC/41/10 - Para. 91</p>	Noted	<p>E51 Right to education - General F31 Children: definition; general principles; protection F4 Persons with disabilities B71 Human rights and the environment S13 SDG 13 - climate change</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - children - persons with disabilities 	Not implemented.
Theme: F12 Discrimination against women			
<p>91.19 Put in place a comprehensive strategy to eliminate discriminatory gender stereotypes, ensuring broad participation of civil society organizations in this process (Ukraine);</p> <p>Source of position: A/HRC/41/10 - Para. 91</p>	Noted	<p>F12 Discrimination against women A61 Cooperation with civil society S05 SDG 5 - gender equality and women's empowerment</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - women 	Not implemented.
<p>91.25 Strengthen measures to eradicate all violence and discrimination and promote inclusion, in particular with respect to women, persons with disabilities and lesbian, gay, bisexual, transgender and intersex persons, as well as to protect their rights (Chile);</p> <p>Source of position: A/HRC/41/10 - Para. 91</p>	Noted	<p>F12 Discrimination against women F4 Persons with disabilities B31 Equality & non-discrimination S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - women - lesbian, gay, bisexual, transgender and intersex persons (LGBTI) - persons with disabilities 	Not implemented.
<p>91.21 Put in place a comprehensive strategy to eliminate discriminatory gender stereotypes and patriarchal attitudes (Belgium);</p> <p>Source of position: A/HRC/41/10 - Para. 91</p>	Noted	<p>F12 Discrimination against women S05 SDG 5 - gender equality and women's empowerment</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - women 	Not implemented.
<p>91.35 Review the civil and traditional legal systems in order to undertake reforms that ensure that their provisions on women's rights are uniform and conform to the international standards of the Convention on the Elimination of All Forms of Discrimination against Women (Mexico);</p> <p>Source of position: A/HRC/41/10 - Para. 91</p>	Noted	<p>F12 Discrimination against women S05 SDG 5 - gender equality and women's empowerment</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - women 	Not implemented.
Theme: F31 Children: definition; general principles; protection			

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
91.37 Establish the criminal responsibility of legal entities for all offences defined in articles 2 and 3 of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (Spain); Source of position: A/HRC/41/10 - Para. 91	Noted	F31 Children: definition; general principles; protection F33 Children: protection against exploitation S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Not implemented.
91.36 Abolish child, early and forced marriage by setting the minimum age for marriage for both men and women at 18 years (Netherlands); Source of position: A/HRC/41/10 - Para. 91	Noted	F31 Children: definition; general principles; protection S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Not implemented.

ⁱ Complaints are received by the Professional Standards Unit of the Police, which is then overseen by the Police Commissioner (See: <https://vpf.gov.vu/contact-us/complaint>).

ⁱⁱ Max Waldon, 'Journalist says he's barred from Vanuatu over reporting on Chinese influence', 18 November 2019, ABC News, available at [Journalist says he's barred from Vanuatu over reporting on Chinese influence - ABC News](https://www.abc.net.au/news/2019-11-18/journalist-says-he-s-banned-from-vanuatu-over-reporting-on-chinese-influence-abc-news/1155844)

ⁱⁱⁱ 'Daily Post's Dan McGarry to return home after travel ban overturned', 19 December 2019, Radio New Zealand, available at [Daily Post's Dan McGarry to return home after travel ban overturned | RNZ News](https://www.rnz.co.nz/international/pacific-news/465844/call-for-vanuatu-police-chief-to-reinstate-officers-suspended-over-brutality-claim)

^{iv} CIVICUS Global Alliance, 'Monitor: Vanuatu', 2022, available at <https://monitor.civicus.org/country/vanuatu/>

^v Full Cybercrime Act available at https://ogcio.gov.vu/images/Docs/legislation/Cybercrime_Act_n_of_2021.pdf

^{vi} 'Vanuatu police crack down with arrests over slander of MPs accused of breaking covid lockdown', 12 May 2022, The Guardian, available at <https://www.theguardian.com/world/2022/may/12/vanuatu-police-crack-down-with-arrests-over-slander-of-mps-accused-of-breaking-covid-lockdown>

^{vii} According to Girls not Brides, see <https://www.girlsnotbrides.org/learning-resources/child-marriage-atlas/regions-and-countries/vanuatu/#:~:text=What's%20the%20prevalence%20rate%3F.before%20the%20age%20of%2018.>

^{viii} These statistics are based on a 2011 report by UN Women (see: <https://evaw-global-database.unwomen.org/en/countries/oceania/vanuatu#1>).

^{ix} The Government of the Republic of Vanuatu, 'National Disability Inclusive Development Policy 2018-2025', available at https://mics.gov.vu/images/policy/DID_Policy_2018-2025.pdf

^x See Australian Department of Foreign Affairs and Trade – Vanuatu page at <https://www.dfat.gov.au/geo/vanuatu/engagement-in-vanuatu#:~:text=Vanuatu%20is%20the%20largest%20source,in%20rural%20and%20regional%20Australia.>

^{xi} Marian Faa, 'Controversial Labour Firm Exits PALM Scheme over Exploitation Allegations' 23 July 2023, ABC News, <https://www.abc.net.au/pacific/programs/pacificbeat/exploitation-complaints/102653966>

^{xii} Lagipoiva Cherell Jackson, 'Vanuatu government launches enquiry into labour schemes after testimony from farm workers in Australia', The Guardian, 23 February 2022, available at <https://www.theguardian.com/world/2022/feb/23/vanuatu-government-launches-enquiry-into-labour-schemes-after-testimony-from-workers-in-australia>

^{xiii} Jane Joshua, 'Police Boss Suspended', The Daily Post, 31 May 2023, available at https://www.dailypost.vu/news/police-boss-suspended/article_3230acae-ddc0-56f3-8b73-b493c86b91ff.html

^{xiv} Radio New Zealand, 'Call for Vanuatu Police Chief to reinstate officers suspended over brutality claim', 25 April 2022, available at <https://www.rnz.co.nz/international/pacific-news/465844/call-for-vanuatu-police-chief-to-reinstate-officers-suspended-over-brutality-claim>

^{xv} Steve Ayong, 'Vanuatu opens its first youth detention centre', 13 August 2021, VBTC, available at [Vanuatu opens its first youth detention centre - VBTC](https://www.vbtc.org.vu/news/vanuatu-opens-its-first-youth-detention-centre)

^{xvi} Vanuatu Prison capability was at 180 people, with an estimated 253 people detained as at 2020, with around one third of those being pre-trial detainees. See www.prisonstudies.org/country/Vanuatu

^{xvii} Human Rights Measurement Index (Rightstracker), see [Vanuatu \(rightstracker.org\)](https://www.rightstracker.org/)

^{xviii} 'Solomon Islands, Vanuatu consider forming militaries', 20 July 2023, The Jakarta Post, available at [Solomon Islands, Vanuatu consider forming militaries - Asia and Pacific - The Jakarta Post](https://www.thejakartapost.com/news/2023/07/20/solomon-islands-vanuatu-consider-forming-militaries-asia-pacific-the-jakarta-post/)

^{xix} IPCC, "Climate Change 2022: Impacts, Adaptation and Vulnerability", Working Group II Contribution to the Sixth Assessment Report: Chapter 15 - Small Islands, February 2022, [ipcc.ch/report/ar6/wg2/downloads/report/IPCC_AR6_WGII_Chapter15.pdf](https://www.ipcc.ch/report/ar6/wg2/downloads/report/IPCC_AR6_WGII_Chapter15.pdf)

^{xx} Lagipoiva Cherele Jackson, 'Vanuatu one of the most climate vulnerable countries launches ambitious climate plan', The Guardian, 14 August 2022, available at <https://www.theguardian.com/world/2022/aug/14/vanuatu-one-of-most-climate-vulnerable-countries-launches-ambitious-climate-plan>