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Human Rights Situation in Republic of Vanuatu

Submitted by:
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(NGOs in Consultative Status with ECOSOC)

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INTRODUCTION

1. This report is submitted by Marist International Solidarity Foundation (FMSI) and Franciscans International (FI). This report focuses on Children with Disabilities and the Impact of Climate Change in Vanuatu that affects women and children. Each section of the report contains recommendations to the Government of Vanuatu.

2. The data and information obtained for this submission came from various sources including information from “one to one” interviews with different government ministries and non-governmental organizations.

PART ONE: Children with Disabilities in Vanuatu

3. In the previous cycle of the UPR in 2014, Vanuatu accepted four recommendations related to people with disabilities:

- 99.32. Continue to promote legislation and actions to eliminate discrimination and strengthen protection of rights of vulnerable groups such as women, children and people with disabilities (China);
- 99.101. Continue its work progressing towards implementation of the Convention on the Rights of Persons with Disabilities (CRPD), including through prompt implementation of the new Building Code for the Public Works Department to ensure buildings and amenities are disability-friendly (Australia);
- 99.102. Adopt measures to ensure the accessibility of persons with disabilities to places such as schools, hospitals, markets and public offices (Spain);
- 99.103. Continue with the measures aimed at improving the protection and integration of persons with disabilities, in particular in the areas of access to education and public transport (Argentina);

Vanuatu has committed to increase efforts and pursue activities aimed at ensuring respect for people with disabilities.

4. Vanuatu Government set up a Disability Desk in 2011 under the Ministry of Justice and Community Service. This was one of the important levels of progress the government of Vanuatu made in recognising and supporting the rights of People with Disabilities in the country. One of the achievements was when they coordinated the National Disability Policy & Plan of Action 2008-2015. However, the policy was reviewed to 2018-2025 and has not yet been launched.

5. Vanuatu also set up the Inclusive Education Policy & Strategic Plan 2010-2020. This strategic plan aims to provide and improve education for school-age children with disabilities in primary schools. However, the greatest challenge is the infrastructure to accommodate those people with disabilities in sectors such as work, leisure time, etc.

Basic Education & Welfare of Children with Disabilities

6. Most of the disabled children in Vanuatu do not have access to schools. There are no special schools for such children, the government only provides for mainstream schools. Some disabled children tried to attend these mainstream schools but the majority could not cope and withdrew.

It was reported that in 2007, 2008 and 2009 the total number of students reported with impairments and social/emotional problems by each province was 5760, 4548 and 296 respectively. The types of disabilities that were recorded included: down syndrome, hearing

impairment, learning disability, mental disability, multiple disability, physical disability, sight disability, social and emotional and speech disability.

7. According to the reports from the Ministry of Education by 2007, a total of 5,670 out of 53,084 students were listed as having impairments and or social/emotional problems; representing 10.7 percent of the student population¹. In 2008 a total of 4,608 students with impairments and social/emotional problems was recorded. In 2009, the Vanuatu Education Management Information System (VEMIS) indicated a wide gap from the 2008 data of 4548 to a mere 296 with impairments and social problems². Factors that affect the drop in numbers of students could be: (1) the children registered with impairments in 2008 were no longer enrolled, (2) the children were registered but not identified with any impairments and (3) the parents are overprotective of their children. Also, there are no teachers with skills to teach students with disabilities.

Vanuatu Society for Disabled People (VSDP)

8. Vanuatu Society for Disabled People (VSDP) initiated a program called “Early Intervention Program”, the objective is to provide effective early intervention services to support and prepare children with disabilities to access education³. Many children with disabilities, however, do not progress academically or drop out from schools prematurely because teachers in mainstream classes are not well trained, well supported or provided with appropriate resources. In addition, children with disabilities are often not capable of coping with main stream classes. Therefore Vanuatu Society for Disabled People (VSDP) came up with Early Intervention programmes to support those children so they can be more independent and when they move to kindergarten or primary school they can cope with mainstream classes.

Early Intervention Program

9. The Early Intervention program started off with 2 students and in 2011 the first batch of 7 children with disabilities graduated. The program currently continues and in 2014 VSDP started receiving funding from donors.

UNICEF has supported this program in 2015, 2016, 2017 and 2018. With their support the program slowly is expanding and it is thought that in the next 5 years it will move to other parts, starting pilot programs and maybe one or two schools in other provinces. Furthermore, UNICEF and the Ministry of Justice and Community Service conducted in 2008 the first study on Child Protection. UNICEF deals with schools to do away with corporal punishment and cyber bullying, sexual abuse and exploitation.

10. The main purpose of this Early Intervention Program is to prepare children with disabilities for life. In terms of education they prepare them so they can integrate well into mainstream schools because there are no special schools for children with disabilities. This started as a pilot in 2009 but now it's one of the main programs, having weekly programs since 2012. Four Centres in Efate Province (this is where Port Vila the capital of Vanuatu is located) help those children with disabilities.

Inclusive Education System

11. Concerning the inclusive education system, Vanuatu has yet to come up with one. Having an inclusive education system will help the Government and the Ministry of Education to identify resources (material and human) which can help to deliver education recognising the

¹ Government of Vanuatu, Ministry of Education; Inclusive Education Policy & Strategic Plan 2010-2020; 2011.

² Government of Vanuatu, Ministry of Education; Inclusive Education Policy & Strategic Plan 2010-2020; 2011.

³ Vanuatu Society for People with Disability (VSPD), Strategic Plan 2017-2022; 11th July 2017

situation and rights of those who are, or have been, excluded from learning and participating. There are already two Inclusive schools in Vanuatu that help children with disabilities but no special schools. These two inclusive schools are Fresh Wota Bilingual School in Port Vila and Santo East School in Loganville, Espiritu Santo Island. However, there is a need for more inclusive schools in order to realise the vision of the Inclusive Education Policy & Strategic Plan 2010-2020: “By 2020 all schools will have inclusive practices to meet the educational needs of all students” to be achieved⁴.

Recommendations

12.We recommend to the Government of Vanuatu the following:

- a. *That the Ministry of Education with the Government continue to find relevant and appropriate ways to come up with more inclusive schools for children with disabilities.***
- b. *To support the Early Intervention Program that was created by the Vanuatu Society for Disabled People (VSDP).***
- c. *To assist the VSDP to formalise and implement EI Curriculum (Early Intervention Program), deliver training to build capacity in field workers and those involved in Early Intervention Program on the use of the EI Curriculum.***
- d. *Through its Ministry of Justice and Community service with the Child Desk, to assist Child Protection Officers to go out to rural areas to create awareness about the rights in education. This will raise awareness of parents that all children, including those who are disabled, have the right to education so they must go to school.***
- e. *To ensure all relevant departments and ministries within the Government of Vanuatu work collaboratively with non-governmental organizations and other service providers to establish community-based rehabilitation to help children with disabilities.***

⁴ Government of Vanuatu, Ministry of Education, Inclusive Education Policy & Strategic Plan 2010-2020;2011

PART TWO: Impact of Climate Change on human rights

13. Climate change remains a major global challenge for the people. For small developing countries like Vanuatu, climate change remains a threat especially to its development. The impact of climate change affects food production, increase in temperature, survival of livestock, causes droughts, affects the eco system and the water safety. Sea level rise causes water to mix with sea water which affects the production of food which leads to food shortages leading to sharp increases in prices leading to hunger and eventually to humanitarian crises⁵.

14. Another consequence of climate change is the increase in extreme weather events, which increasingly destroys crops and has an adverse impact on many peoples' livelihood. The impact of climate change on food production has forced women and young girls to work even harder because it is the female population who is mainly involved in cultivation and selling. Therefore, less production of food means less income to support the family.

15. In the second UPR cycle in 2014, Vanuatu accepted three recommendations related to climate change:

- 99.107. Continue to seek technical assistance to address the specific problem of the disproportionately negative impact of climate change on women and children (Trinidad and Tobago);
- 99.108. Continue to develop awareness-raising and action programmes for its population, with the necessary international cooperation and solidarity of the community of nations, in order to deal with the impacts of climate change (Venezuela (Bolivarian Republic of));
- 99.109. Continue its current momentum and efforts on democracy, good governance, legislative reform and capacity building for national human rights mechanisms, with more focus on employment for youth, education, health care, social welfare and preparedness and resilience in response to climate change (Viet Nam).

Government Policy on Climate Change

16. The Government of Vanuatu aims to help communities by establishing climate and disaster plans. Most of the financial help that Vanuatu receives comes from donor partners. In terms of technical assistance, the government relies on experts to carry awareness-raising activities on how to adapt to climate change and how to survive in times of drought or natural disasters.

17. Regarding the actions to deal with climate change, in 2016 the Government of Vanuatu launched Vanuatu Climate Change and Disaster Risk Reduction Policy 2016 - 2030, which aims to prepare the nation to be resilient to the impacts of climate change and disaster risks.⁶ The Government also set up a National Action Plan which provides adaptation measures in case of disasters. An Emergency Response Fund of 25 000 000 Vatu (roughly \$231,352.60 US Dollars) has been allocated by the government to support the affected areas. This Fund, along with additional external support, has helped many people affected by natural disasters.

18. Furthermore, Committee Disaster and Climate Change Committees (CDCCC) have been set up in every province. These committees bring volunteers together; working with this government to help communities affected by disasters. There are more than 200 CDCCCs around Vanuatu. However, more needs to be done as every community should have such a Committee. National action plan includes measures like how people can adapt to the environment when disaster strikes.

⁵ The Permanent Mission of the Republic of Vanuatu to the United Nations, <https://www.un.int/vanuatu/climate-climatechange>, accessed May 2, 2018

⁶ See Vanuatu Climate Change and Disaster Risk Reduction Policy 2016 – 2030, accessed July 3, 2018

19. Regarding to Trinidad and Tobago's recommendation for the impact of climate change on women and children⁷, Vanuatu's Climate Change and Disaster Risk Reduction (CC/DRR) strategy for 2016-2030 identified gender as a cross-cutting issue.⁸ It called for, among others, the development of practical strategies to address gender and social inclusion issues within the climate change and disaster risk reduction context.⁹

20. The Gender & Protection Cluster was also created in March 2014 within the Department of Women's Affairs. As part of the National Disaster Management Office's coordination structure, the Gender & Protection Cluster contributes to improving preparedness for responding to natural disasters in a gender and protection-sensitive manner and ensuring that timely, effective and coordinated assistance is provided to persons affected by natural disasters in Vanuatu during emergency situations.¹⁰

21. Moreover, in 2015, a regional collaborative initiative was established between the Governments of Fiji, Solomon Islands, Tonga and Vanuatu: the Protection in the Pacific (ProPa) Network. While still in its early stages, the ProPa network has made significant progress in the Pacific in helping to make gender and protection central not only to climate change but also for risk-informing development.¹¹

22. As regard the recommendation of Bolivarian Republic of Venezuela for developing awareness-raising and action programmes¹², in February 2017, the first-ever certificate level course in climate change and disaster risk reduction was launched at the Vanuatu Institute of Technology.¹³ The course was specially designed to equip the country's rural residents with the knowledge to understand and thereby mitigate the impact of extreme-weather-related disasters.¹⁴

23. Similarly, in September 2017, 8 ministers from the Ministry of Climate Change took part in a mission to Sanma Province. The trip was a first-of-its-kind initiative conducted by the Ministry outside of the Port Vila constituency. The aim of the trip was to promote the roles and responsibilities of the Ministry to over 700 English and French secondary school students within Sanma and encourage students to pursue careers within the Climate Change sector.¹⁵ It should also be noted that the Ministry of Climate Change is working towards establishing the Department of Climate Change by the end of 2018.¹⁶

24. Finally, regarding the third recommendation made by Viet Nam¹⁷ about the preparedness and resilience in response to climate change, after Cyclone Pam ripped through the island in March 2015, the Vanuatu Government decided to have a standing National Cluster System to enable humanitarian agencies and government to develop and implement disaster preparedness activities during peace time. There are 8 technical clusters: Emergency Telecommunications, Education, Health & Nutrition, Food Security & Agriculture, Gender & Protection, Shelter, Water Sanitation & Hygiene and Logistics.¹⁸

⁷ A/HRC/WG.6/18/L.7, 3 February 2014, §99.107 (Trinidad and Tobago)

⁸ http://www.nab.vu/sites/default/files/nab/vanuatu_cc_drr_policy_minus_att4v4.pdf, p. 26

⁹ http://www.nab.vu/sites/default/files/nab/vanuatu_cc_drr_policy_minus_att4v4.pdf, p. 10

¹⁰ <https://ndmo.gov.vu/resources/clusters/88-clusters/91-gender-protection>

¹¹ <http://www.pacific.undp.org/content/pacific/en/home/presscenter/pressreleases/2017/11/13/gender-and-protection-must-be-central-to-climate-change-adaptation-for-sustainable-development-in-the-pacific.html>

¹² A/HRC/WG.6/18/L.7, 3 February 2014, §99.108 (Bolivarian Republic of Venezuela)

¹³ <https://vanuatuindependent.com/2017/02/22/first-ever-certificate-course-in-climate-change/>

¹⁴ <https://cop23.com.fj/vanuatu/>

¹⁵ <https://drive.google.com/file/d/1qbDtwaMn90SmzGnnOzEBexcUJNh-INXD/view>, p. 9

¹⁶ <https://drive.google.com/file/d/1qbDtwaMn90SmzGnnOzEBexcUJNh-INXD/view>, p. 10

¹⁷ A/HRC/WG.6/18/L.7, 3 February 2014, §99.109 (Viet Nam)

¹⁸ Ministry of Climate Change, Annual Report 2017, available at:

<https://drive.google.com/file/d/1qbDtwaMn90SmzGnnOzEBexcUJNh-INXD/view>, p. 73

25. With regard to resilience, as part of its sustainable approach to climate-adaptation, the Government of Vanuatu is attempting to crossbreed crop varieties and identify which – if any – could survive through periods of long droughts. Projects have further explored adaptive farming methods, in an effort to identify optimum conditions to grow new food sources both tolerant of and that can adapt to extreme rainfall, drought and heat.

26. Furthermore, in the draft of Vanuatu’s National Sustainable Development Plan 2016 to 2030, Goal 3 of the Environment Pillar is to achieve a “strong and resilient nation in the face of climate change and disaster risks posed by natural and man-made hazards”.¹⁹ Policy objectives include, but are not limited to, improving risk reduction, monitoring and early warning systems (3.1.); promoting and ensuring strengthened resilience and adaptive capacity to climate-related hazards and natural disasters (3.3.) and improving education, awareness and institutional capacity on climate change and disaster mitigation (3.4).

Impact on the right to food and right to safe drinking water

27. Storm surges and cyclones are one of the many manifestations of climate change that have a major impact on agriculture, therefore endangering the population’s livelihood. Indeed, the increase in rainfall, in addition to damaging seedlings and soils, also causes contamination of the environment in which crops grow, making the ground – and thus, food sources – vulnerable to pests and diseases.²⁰ For their part, cyclones destroy island food crops. As an illustration, Cyclone Pam wiped out 96% of the island’s crops, putting the country’s food security in jeopardy for years to come.²¹

28. Furthermore, continued degradation of coral reefs due to increases in coral bleaching and ocean acidification are expected to negatively impact the amount of coastal fish available for food security. Indeed, “the gap between how much fish we need for our food security and how much fish coastal habitats can provide is widening”, according to Vanuatu’s Fisheries Department.²²

29. With respect to the right to safe drinking water, following Cyclone Pam, water systems were damaged throughout the regions and many drinking water supplies were contaminated.²³ Water shortage is also a problem during droughts, such as the one the archipelago experienced towards the end of 2015, as a result of the El Niño conditions in the Pacific.²⁴

Impact on right to culture and right to livelihood

30. Climate change impacts negatively to the enjoyment of right to culture. The rising sea levels, the increase of water temperature, the destruction of crops due the unpredictable seasons have adverse impacts on the cultural life of the Vanuatu people. The traditional cultural activities, such as seasonal cropping, cannot be carried out in the same way as they were in the past. The increase of sea temperature affects people’s traditional fishing method. The traditional burial sites must be relocated in some communities because of rising sea levels. Similarly, the destruction of Pandanus trees due to the rising sea levels make it impossible for women to weave their traditional mats and baskets.

¹⁹ <https://vanuatudaily.files.wordpress.com/2016/11/draft-vanuatu-2030-national-sustainable-development-plan.pdf>, p.

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²⁰ <https://cop23.com.fj/vanuatu/>

²¹ <https://cop23.com.fj/vanuatu/>

²² <http://www.nab.vu/vanuatu-stakeholders-fisheries-and-aquaculture-identify-priority-adaptations-climate-change>

²³ <http://www.spc.int/wp-content/uploads/2016/12/Climate-change-impacts-North-Efate.pdf>, p. 11

²⁴ <http://www.ifrc.org/fr/nouvelles/nouvelles/asia-pacific/vanuatu/el-nino-brings-drought-and-heightened-cyclone-risk-to-vanuatu--69517/>

31. The various impacts of climate change also threaten the country's tourism industry, which is Vanuatu's key economic activity. Foreign tourists might be reluctant to visit Vanuatu due to the fear of an increased risk of tropical diseases and natural disasters. Furthermore, strong storms and rising sea levels could also affect coastal tourist infrastructure, such as hotels and resorts.²⁵ Considering that many people live from tourism in Vanuatu, a decrease in visitors could also mean a decrease in income, thereby threatening people's livelihood.

Impact on the right to health

32. After Cyclone Pam ripped through the archipelago in 2015, more than 75 000 residents were left without a home. The damages to roads and infrastructure, such as public health centres, schools, affected Vanuatu's population severely. Cyclone Pam damaged both the country's main tertiary hospital in Port Villa and the main hospital on the island of Tanna.²⁶ World Health Organisation (WHO) reported that at least 51 health facilities were damaged. In addition, those affected by the cyclone continued to face life-threatening risks from a lack of food and safe water, growing disease outbreaks and a health system struggling to get back to provide services for the population.²⁷

33. Temperature, precipitation and humidity have a strong influence on the life-cycles of the vectors and the infectious agents they carry and influence the transmission of water and food-borne diseases.²⁸ In Vanuatu, disasters due to climate change is expected to increase the risk of several vector-borne disease including malaria, dengue fever and lymphatic filariasis.²⁹

Recommendations:

34. We recommend the Government of Vanuatu the following:

- a. ***To ensure the provision of clean drinking water and sanitation for all, and availability of adequate food, especially in times of climate change related disasters.***
- b. ***To provide sufficient care and health centre infrastructures in each province to shelter the population during the times of climate change related disasters.***
- c. ***To take measures for alternative livelihood for the population, especially for those who are prone to climate change related disasters.***
- d. ***To effectively implement the Climate Change and Disaster Risk Reduction Policy 2016 – 2030 so as to guarantee the protection and enjoyment of their human rights in times of climate change related disasters.***
- e. ***To provide technical and financial support for the Committee Disaster and Climate Change Committees (CDCCC) to ensure their role in providing services to the community affected by climate change related disasters.***

²⁵ <http://www.andrewgray.com/essays/climatevanuatu.htm>

²⁶ http://www.who.int/hac/crises/vut/vanuatu_donor_alert_25march2015.pdf

²⁷ <http://www.wpro.who.int/southpacific/mediacentre/releases/2015/cyclone-pam-healthchallenges/en/>

²⁸ [http://apps.who.int/iris/bitstream/handle/10665/260416/WHO-FWC-PHE-EPE-15.53-](http://apps.who.int/iris/bitstream/handle/10665/260416/WHO-FWC-PHE-EPE-15.53-eng.pdf;jsessionid=E4EF4D93F111CFDEADA1AA4A9744DFC5?sequence=1)

[eng.pdf;jsessionid=E4EF4D93F111CFDEADA1AA4A9744DFC5?sequence=1](http://apps.who.int/iris/bitstream/handle/10665/260416/WHO-FWC-PHE-EPE-15.53-eng.pdf;jsessionid=E4EF4D93F111CFDEADA1AA4A9744DFC5?sequence=1), p. 4; Atlas of Health and Climate, World Health Organization and World Meteorological Organization, 2012

²⁹ Spickett, J.T., Katscherian, D., McIver, L. (2013). Health Impacts of Climate Change in Vanuatu: An Assessment and Adaptation Action Plan. Global Journal of Health Sciences. May; 5(3): 42–53