

Pacific Island States & the Universal Periodic Review

A toolkit for Pacific Island states
to measure progress and
compliance against Universal
Periodic Review
recommendations



SPC
Secretariat
of the Pacific
Community

Regional Rights Resource Team

Pacific Island states and the Universal Periodic Review

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Universal Periodic Review recommendations

Secretariat of the Pacific Community
Pacific Regional Rights Resource Team

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Glossary

Constitution	A Constitution is the supreme source of the law and provides the framework for other laws. It sets out how the government is structured and operates, the executive and legislative powers of the state, the judiciary and the public service, and addresses issues of state finance, land and citizenship.
Government	Any state's government.
HRC	The Human Rights Council (HRC) is the main UN body responsible for human rights, established in 2006 by UN General Assembly resolution 60/251. It is an inter-governmental body within the UN system made up of 47 states responsible for strengthening the promotion and protection of human rights.
Stakeholders	Any organisation, body or institution that has an interest in any state's human rights issues, and reports to the HRC.
States	Any country reporting or involved in the Universal Periodic Review (UPR) process.
Troika	The troika is made up of three member states of the HRC that are selected to facilitate a state's review. They are selected randomly from different regional groups.
UN	The United Nations (UN) is an international organisation founded in 1945 by 51 countries committed to maintaining international peace and security, developing friendly relations among nations, and promoting social progress, better living standards, and human rights. The UN consists of 193 member states.
UPR	The Universal Periodic Review (UPR) was created through the UN General Assembly on 15 March 2006 by resolution 60/251, which also established the HRC. It is a cooperative process which, as of 2012, has reviewed the human rights records of every country. The second round of the UPR is from 2012-2016. The UPR is one of the key elements of the HRC which reminds states of their responsibility to fully respect and implement all human rights and fundamental freedoms.

Acronyms and Abbreviations

APWLD	Asia Pacific Women Law and Development
CAT	Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment
CED	International Convention for the Protection of All Persons from Enforced Disappearance
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CRC	Convention on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
CSFT	Civil Society Forum of Tonga
DPO	Disabled Person's Organisation
ECOSOC	Economic and Social Council of the United Nations
FOI	Freedom of information
FSM	Federated States of Micronesia
HRC	Human Rights Council
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic Social and Cultural Rights
ICJ	International Commission of Jurists
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

NGO	Non Government Organisation
NHRI	National Human Rights Institution
OHCHR	Office of the High Commissioner for Human Rights
OP-CAT	Optional Protocol to CAT
OP-CEDAW	Optional Protocol to CEDAW
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRPD	Optional Protocol to CRPD
OP-ICESCR	Optional Protocol to ICESCR
PER	Public Emergency Regulations (Fiji)
PIC	Pacific Island Country
PIF	Pacific Islands Forum
PIFS	Pacific Islands Forum Secretariat
RMI	Republic of the Marshall Islands
RRRT	Pacific Regional Rights Resource Team of the Secretariat of the Pacific Community
SPC	Secretariat of the Pacific Community
SuR	State under Review
UDHR	Universal Declaration of Human Rights
UN	United Nations
UNCAC	United Nations Convention against Corruption
UNCTOC	United Nations Convention against Transnational Organised Crime
UNODC	United Nations Office on Drugs and Crime
UPR	Universal Periodic Review
VAW	violence against women
WG	Working Group
YWCA	Young Women's Christian Association

Introduction

Since 2008, all countries (who are members of the United Nations (UN)) have had to report on the human rights situation in their country as part of the Universal Periodic Review (UPR). This process brings together information from governments, civil society, international organisations and other relevant stakeholders to create an overall picture of achievement against international human rights standards, and opens dialogue between countries to give comment and recommend changes to improve the promotion and protection of human rights. The process is overseen by the Human Rights Council (HRC) which is mandated to coordinate the UPR, manage the reporting cycle and disseminate outcomes from country review meetings.

Why a toolkit on the 2nd round of the UPR?

Following the first round of the UPR, it is important to reflect on the process leading up to reporting in Geneva, as well as follow up measures, how progress is monitored, and how this experience can inform reporting for the second round. This toolkit has been designed to assist Pacific Island Countries (PICs) to engage in this process by reflecting on their reports from the first round, identifying common themes and issues which emerged, measuring steps and achievements, and responding effectively in second round reports. This toolkit is not only designed for PIC governments but the range of actors engaged throughout the UPR process such as civil society, international organisations and other relevant stakeholders. A lot was learnt throughout the first round, and this toolkit captures this information and experience to assist countries in moving forward towards the second round.

Why use this toolkit?

This toolkit is unique in that it provides suggested ways to measure progress and achievements specific to each country, for every recommendation received. This means that when PICs need to report on the second round they already have a head start in analysing their current situation and working on their second round reports. This toolkit can also be used as a resource for information and explanations regarding the first round, and summaries of common themes and issues which emerged.

How will this toolkit help me monitor?

This toolkit will help PICs to critically look at the progress they have made and identify areas in which they have achieved and where they need to improve. It can be used to recognise the steps along the way that have been completed, identify areas which have stalled, and to refocus activities for future plans.

How will this toolkit help me report?

It will enable PICs to summarise their achievements and produce reports which reflect the reality of their work. It will assist in the identification of significant steps towards achievement as well as developments which have taken place resulting in full compliance with recommendations made. It also contains lessons from the first round which can inform reporting in the second round, including how to ensure a comprehensive and consultative reporting process, tips on report writing, how to prepare and present the report, how to prepare for the session in Geneva, as well as follow up activities.

How is this toolkit laid out?

Part One outlines the background to the UPR process and then sets out how this process can be used to better promote and protect human rights. It also provides an overview of the Pacific's first UPR experience, analysing the main human rights themes which emerged and lessons learned from the first cycle.

Part Two of the toolkit sets out in more detail the experiences of each PIC, and in an annex includes tables of the recommendations made and whether they were noted, accepted, or rejected by the state under review. Part Two also provides comprehensive tables of suggested progress and compliance indicators, developed by RRRT for the purpose of example, which are presented by individual country. It is envisaged that countries will be able to refer to their own table in order to get ideas or examples on possible areas they can report on for each of the recommendations. These tables are also organised by key themes to assist in second round reporting.

PART ONE

UPR First Round Experience from the Pacific

1A Background to the UPR

What is the UPR?

As part of its mandate, the HRC was tasked with the creation and oversight of a new human rights reporting mechanism, the UPR. This new mechanism provides all 193 UN member states with the opportunity to review their human rights record once every four and a half years, in an effort to further promote and protect human rights.¹ During their UPR, states are able to report on what actions they have taken to improve the human rights situation in their country and how they have overcome challenges to the enjoyment of human rights. The ultimate aim of this mechanism is to improve the promotion and protection of human rights, while considering states human rights situation equally.²

Key Facts about the UPR:

- ▶ Every 4.5 years.
- ▶ For all 193 UN member countries.
- ▶ Review is based on three reports: the national report (approx. 20 pages); the stakeholder's report, based on submissions from NGOs and prepared by the OHCHR (approx. 10 pages); and the compilation report based on UN information about the state (approx. 10 pages).
- ▶ States receive recommendations from their peers.
- ▶ The state decides whether it will accept or reject recommendations.
- ▶ Accepted recommendations should be implemented before the next review.

Extract:

“The Council shall ... undertake a **universal periodic review, based on objective and reliable information, of the fulfilment by each State of its human rights obligations and commitments** in a manner which ensures universality of coverage and equal treatment with respect to all States; the review shall be a cooperative mechanism, based on an interactive dialogue, with the full involvement of the country concerned and with consideration given to its capacity-building needs; such a mechanism shall complement and not duplicate the work of treaty bodies...”

UN General Assembly resolution A/RES/60/251

Why was the UPR started?

The UPR started so as to ensure that all 193 UN member states were required to report on the status of human rights within the country, in order to remind states of their international responsibility to implement and respect all fundamental rights and freedoms.³ This means that even if a country has not ratified any international human rights treaties they still need to submit a report to the HRC as part of the UPR process. In this way all states are considered equal, and are all subject to the same reporting requirements and processes.

What is the history of the UPR?

The first cycle of the UPR began in April 2008 with the working group (WG) on the UPR meeting three times each year with 16 member states being reviewed at each session.⁴ This has been amended for the second round of reporting with only 14 states being reviewed per session for second and subsequent cycles.⁵ The WG consists of the 47 member states of the HRC and three of those member states, known as the troika, are randomly selected to assist as rapporteurs in the review itself.⁶ All states however are able to participate in the interactive dialogue and discussion during each review.

What is the UPR process?

The UPR process consists of four stages: the preparation of information for the review; the review by the WG in Geneva; the regular session of the HRC when the report is considered; and the implementation of outcomes. The review is based on prepared information in the form of three reports submitted to the HRC. The first, called the national report, is 20 pages in length and is prepared by the state under review.⁷ The second is a 10 page compilation by the Office of the High Commission for Human Rights (OHCHR) and contains information from reports of independent human rights experts and groups, including special procedures, human rights treaty bodies and other UN entities.⁸ The third, also a 10 page report prepared by the OHCHR, contains summary information from other stakeholders, including NGOs and national human rights institutions (NHRI).⁹

The review assesses the extent to which the state has complied with the human rights obligations set out in a number of sources; the UN Charter, the Universal Declaration of Human Rights (UDHR), the human rights instruments ratified by the state, voluntary pledges and commitments, as well as any applicable international humanitarian law.¹⁷

Table 1: Key History and Documents of the UPR		
What	Key Document	Date
Establishment of the HRC	General Assembly Resolution 60/251 ¹⁰	15 March 2006
Modalities of the UPR	HRC Resolution 5/1 ¹¹	18 June 2006
Further Guidelines on UPR	HRC Decision 6/102 ¹²	27 Sept 2007
Establishment of a UPR Trust Fund	HRC Resolution 6/17 ¹³	28 Sept 2007
Modalities and practices for the UPR process	HRC Presidential Statement 8/PRST/1 ¹⁴	9 April 2008
Review of the HRC	HRC Resolution 16/21 ¹⁵	12 April 2011
Modalities for UPR (2 nd round)	HRC Decision 17/119 ¹⁶	19 July 2011

Each review is facilitated by the troika and is allocated a three hour time slot, during which any UN member state can pose questions, comments and make recommendations to the state.¹⁸ When talking about recommendations, these are the specific statements that other countries make about how the state under review could improve its human rights situation. They are called recommendations because they recommend a certain course of action for the country to take. These statements given by other countries must be responded to by the state under review and either accepted (i.e. we will implement the change) or rejected (we will not be implementing this change). A state retains the authority to accept or reject each of the recommendations made. NGOs are unable to participate in the interactive dialogue but they may contribute to the discussion through the submission of stakeholder reports which are then combined into the third other stakeholders report (mentioned above),¹⁹ they also have the ability to make comments at the adoption of the outcome report at the regular HRC session following the review.²⁰

At the conclusion of the review the troika, with the involvement of the state and the OHCHR, prepares an outcome report containing a summary of the discussions that took place. This report is then adopted by the UPR WG once the state has had the opportunity to make preliminary comments on the recommendations, choosing to either accept or reject them. Both accepted and rejected recommendations are included in the report. The report is then adopted at a plenary session of the HRC with a further opportunity for the state to respond to questions and issues, and for other states, NGOs, and stakeholders to make general comments.²¹

By accepting the recommendations, the state makes a voluntary commitment to take measures to meet them, and thus has a primary obligation to implement the recommendations it has accepted. Following this, the primary focus for the second round of the UPR is for states to show progress on the recommendations they accepted, as well as any developments in the human rights situation in the country.²²

Figure 1: The UPR Process²³



How is the first round different to the second round?

The first cycle ran from 2008 to 2012. In 2011, the HRC decided on a revised process for the second round of reporting. Cycles will be for the duration of four and a half years and 14 states will be reviewed at each session.²⁴ Each state will have three and a half hours for its review, with the state having 70 minutes to present followed by 140 minutes for comments of other member states.²⁵ The first session of the second cycle was held from 21 May to 1 June 2012²⁶ and the reviews have two foci, the implementation of the accepted recommendations and any further developments of the human rights situation in the state under review.²⁷

What are the benefits and drawbacks?

Benefits	Drawbacks
<ul style="list-style-type: none"> It gives the state and civil society a chance to present information about the human rights situation of a particular country on the international stage. 	<ul style="list-style-type: none"> States are not required to accept all recommendations which are given and can reject recommendations on the grounds they have already been implemented (even when they may not have been).
<ul style="list-style-type: none"> States can question and review other states by asking questions and giving recommendations. 	<ul style="list-style-type: none"> States are not required to report against any recommendations which have been rejected.
<ul style="list-style-type: none"> It can highlight the capacity restraints on states to implement changes and provides an opportunity to request technical assistance to deal with human rights challenges. 	<ul style="list-style-type: none"> Civil society is not able to participate directly as it is designed to be a state to state reporting process.
<ul style="list-style-type: none"> Is a chance to share information and best practice between states and with civil society, and collaborate to achieve joint goals. 	<ul style="list-style-type: none"> It is difficult for some countries to fully participate in the process due to the prohibitive cost of sending a delegation to the review in Geneva.

How does it add value?

The UPR process adds value as it is the only human rights reporting process which reviews all UN member states regardless of whether they have signed or ratified any international human rights instruments. It treats states as equals and provides an opportunity for states to declare their actions towards the fulfilment of human rights and overcome challenges. It adds value by complementing the work of other treaty bodies, as well as providing an opportunity for states to be assessed against all international human rights standards in one review (i.e. not specific to any field of human rights law).

Is it possible not to participate?

During the first round, all 193 UN member states participated in the UPR with no state refusing to be a part of the process. The HRC have flagged that they will address cases of persistent non-compliance and decide on measures when the situation arises.²⁸

1B General Analysis of the Pacific Experience from the First Round of the UPR

What happened during the first round?

In the first cycle of the UPR, 12 independent PICs appeared before the UPR WG to present their national reports. These were Tonga, Tuvalu, Vanuatu, Fiji, Kiribati, Republic of the Marshall Islands (RMI), Federated States of Micronesia (FSM), Nauru, Palau, Solomon Islands, Samoa, and Papua New Guinea (PNG). For some of the PICs, the UPR process was their first involvement in reporting to an international human rights mechanism. The UPR process was overall a very valuable one for PICs as it provided a unique opportunity to present Pacific stories and to engage in dialogue on human rights issues with other states. It also opened up opportunities for greater assistance and coalition building both regionally and internationally on addressing human rights issues.

How did Pacific Island Countries prepare for their review?

PICs prepared their reports in a range of ways and with different levels of consultation with government officials and civil society. Most began working on the UPR consultation process approximately a year before they were due to report in Geneva. The majority of PICs began the report writing process by setting up a committee or task force to oversee the UPR process. This body varied in its composition across states however it was typically made up of representatives from relevant government departments and civil society. The taskforce was then responsible for conducting any consultations and/or research to obtain information which could be utilised in the report. The level of consultation varied between countries however most consulted representatives of government ministries, civil society and community members.²⁹ A number of countries, for example, conducted regional consultations as well as national ones to ensure stakeholders at the regional level were able to contribute to the process.³⁰

Table 3: UPR Sessions by PICs

State	Date of UPR Session
Tonga	Wednesday 14 May 2008
Tuvalu	Thursday 11 December 2008
Vanuatu	Tuesday 12 May 2009
Fiji	Thursday 11 February 2010
Kiribati	Monday 3 May 2010
RMI	Friday 5 November 2010
FSM	Tuesday 9 November 2010
Nauru	Monday, 24 January 2011
Palau	Tuesday 3 May 2011
Solomon Islands	Wednesday 4 May 2011
Samoa	Monday 9 May 2011
PNG	Wednesday 11 May 2011

All of the PICs were also involved in training facilitated by the Secretariat of the Pacific Community, Pacific Regional Rights Resource Team (RRRT) and/or the OHCHR and/or the Pacific Islands Forum Secretariat (PIFS). All countries

“The mock session gave confidence to the Kiribati delegation in Geneva especially when we were presenting the UPR report before the UN Council. We were also more aware of human rights issues as well as how the whole UPR process works.”

Teretia Tokam, Member of the Kiribati delegation

found the UPR training a useful exercise in opening up conversations between the government and civil society, and learning how the UPR process works in practice. Mock UPR sessions were also held for members of the delegations of Kiribati, the FSM and the RMI in order to rehearse and practice for their session in Geneva. These sessions were well received and provided an opportunity to practice answers and get advice on how best to respond.

What activities occurred during the sessions?

During the sessions in Geneva, two side events were held to highlight issues that are affecting the Pacific as a region. The first event was a Pacific UPR NGO side event jointly run by RRRT, World Young Women’s Christian Association (YWCA) and the Asia Pacific Women Law and Development (APWLD).³¹ The side event gave civil society an opportunity to express and share their views, develop joint strategies to address human rights in the Pacific, and foster participation from human rights defenders and activists. The event also heightened interest in

pressing human rights issues in the Pacific such as climate change, violence against women (VAW) and trafficking, and called for increased international assistance. For more information about this event, see the case study *Faaitino's Experience with the UPR* below.

The second side event was held by the International Commission of Jurists (ICJ) and civil society organisations from Fiji before the state appeared at the HRC. This allowed state members, international organisations and UN agencies to gain information about the human rights situation in Fiji before the interactive dialogue commenced.

Were NGOs and civil society involved?

NGOs and civil society were involved in all stages of the UPR process from drafting reports, engaging in national consultations, representing themselves in Geneva, lobbying state representatives, conducting side events, reporting on outcomes and holding states accountable to accepted recommendations. The level of engagement differed between states due to technical and financial capacity, as well as access to relevant information. For example it was reported in both Tonga and Tuvalu's national reports that not all civil society organisations were aware of the UPR, with the Tonga national report stating that almost all of the 49 civil society organisations that are members of the Civil Society Forum of Tonga (CSFT) were unaware of the UPR process.³²

What were the main human rights themes raised and recommendations given?

A number of human rights themes were raised in the discussions and final recommendations during each of the PICs UPR process. The final reports of the WG including the presentation of the state under review, the interactive dialogue between member states, and the list of the conclusions and recommendations at the outcome of the review were analysed to complete a comprehensive summary of the human rights themes that were raised during the first UPR cycle (see table below).

Theme	Issues	Recommendations
Gender Equality	<ul style="list-style-type: none"> Pervasive nature of VAW, lack of comprehensive VAW legislation, lack of training for law enforcement and government officials, lack of response services.³³ Discrimination on the basis of gender in legislation, policy, and practice (for example no provision for discrimination on the basis of sex/gender in the Constitution).³⁴ Low number of female representatives in parliament and key decision making positions.³⁵ Ratification of CEDAW and incorporation into domestic laws. 	<ul style="list-style-type: none"> Draft and enact legislation on VAW. Remove discriminatory provisions in existing legislation. Increase training for law enforcement agencies and government officials on gender, human rights and VAW. Increase services for survivors of violence. Ratify CEDAW and incorporate CEDAW into domestic legislation. Increase women's participation at all levels of decision making.
Ratification and Reporting on Int. Treaties	<ul style="list-style-type: none"> Ratification of international human rights instruments. High numbers of overdue reports to international treaty bodies. 	<ul style="list-style-type: none"> Ratify international human rights instruments. Submit overdue reports to treaty bodies. Request technical and financial assistance to ratify treaties and complete reporting.

Establishment of a National/Regional Human Rights Institution	<ul style="list-style-type: none"> No national/regional human rights institutions in place (except Fiji). Lack of or ineffective Ombudsman Commissions across the region 	<ul style="list-style-type: none"> Establish a national/regional human rights institution. Request financial/technical assistance to set up an NHRI, and/or support the development of a regional body. Provide additional funding and resources to Ombudsman Commissions and ensure their independence.
Promotion of human rights, education, and public awareness	<ul style="list-style-type: none"> Human rights not incorporated into school curriculums, training programs etc. Citizens unaware of their human rights and avenues of redress. 	<ul style="list-style-type: none"> Promotion and education on human rights for communities, law enforcement agencies, government officials and legal professionals. Institutionalise human rights education.
Thematic Human Rights Issues		
Discrimination	<ul style="list-style-type: none"> Discrimination in legislation, policy and practice on a range of grounds including sex, gender, sexual orientation, race, disability, health status, economic status, religion and HIV status. Discriminatory practices in employment, education, marriage and health care. 	<ul style="list-style-type: none"> Remove discriminatory provisions in the Constitution and legislation. Develop and enact anti-discrimination acts and policies. Educate government officials on the implementation of policies to eliminate discriminatory practices.
Children	<ul style="list-style-type: none"> Protection of children against abuse, exploitation, trafficking and corporal punishment. Lack of protective legislative framework for children's rights. Low levels of ratification of the two Optional Protocols to the CRC. Failure to meet the reporting obligations of the CRC. 	<ul style="list-style-type: none"> Develop and enact child protection legislation and policies. Enact legislation on child trafficking, exploitation and child work. Ratify the Optional Protocols to the CRC. Revise minimum age of criminal responsibility and marriage in line with the CRC. Submit outstanding reports to the Committee.
Environment	<ul style="list-style-type: none"> Vulnerability to the impacts of climate change. Impact of mining on the environment.³⁶ Low capacity to prepare and respond to natural disasters.³⁷ Concerns about access to a clean environment.³⁸ 	<ul style="list-style-type: none"> Lobby high emission countries to reduce emissions. Mitigate risks and adapt to the effects of climate change. Adopt a rights based approach to tackling the effects of climate change. Regulate environmental damage and enact environmental protection legislation.

Development	<ul style="list-style-type: none"> Lack of basic service provision particularly in the areas of health and education in rural areas. Little progress in the areas of economic development, food and water security, poverty, and sanitation. 	<ul style="list-style-type: none"> Increase access to services particularly to rural and remote areas. Continue implementation of development plans. Institutionalise free, compulsory education.
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What have been some of the impacts from the first round?

Since round one of the UPR process, PICs have been increasingly engaged in the international human rights system and it is conceivable that this involvement has stemmed from their engagement in the UPR process. Since the first round of the UPR, a number of PICs have signed or ratified international instruments and a number have been involved in special procedures (see tables below).

Table 5: Signatures and Ratifications of International Instruments by PICs since the first round of the UPR

Country	International Instrument	Date of Ratification/Signature
Vanuatu	CAT	Ratified on 12 July 2011
	UNCAC	Ratified on 12 July 2011
Nauru	CEDAW	Ratified on 23 June 2011
	CRPD	Ratified on 27 June 2012
	UNCAC	Ratified on 12 July 2012
	1951 Refugee Convention	Ratified on 28 June 2011
	1967 Protocol	Ratified on 28 June 2011
	UNCTOC	Ratified on 12 July 2012
	Protocol to UNCTOC	Ratified on 12 July 2012
	CAT	Ratified on 26 September 2012
Palau	ICESCR	Signed on 20 September 2011
	ICCPR	Signed on 20 September 2011
	ICERD	Signed on 20 September 2011
	CEDAW	Signed on 20 September 2011
	CAT	Signed on 20 September 2011
	ICRMW	Signed on 20 September 2011
	CED	Signed on 20 September 2011
	CRPD	Signed on 20 September 2011
FSM	CRPD	Signed on 23 September 2011
	OP-CRC-SC	Ratified on 23 April 2012
	UNCAC	Ratified on 21 March 2012
	Protocol to UNCTOC	Ratified on 2 November 2011
Solomon Islands	UNCAC	Ratified on 6 January 2012
Fiji	CRPD	Signed on 2 June 2010
	OP-CRPD	Signed on 2 June 2010
RMI	UNCAC	Ratified on 17 November 2011
	UNCTOC	Ratified on 15 June 2011

Table 6: Participation of PICs in Special Procedures since the first round of the UPR

Country	Special Procedure	Year of Visit
RMI	Special Rapporteur ³⁹ on Toxic Waste	2012
Kiribati	Special Rapporteur on Water and Sanitation	2012
Tuvalu	Special Rapporteur on Water and Sanitation	2012
PNG	Special Rapporteur on Torture	2010
	Special Rapporteur on Violence against Women	2012
Solomon Islands	Special Rapporteur on Violence against Women	2012

“We have found the Universal Periodic Review a useful tool to assess how our country could continue to improve in achieving its own human rights goals. We have also found that the UPR process has been a uniting agent for both government and civil society. The UPR process has allowed us to identify human rights priorities and to also take the necessary steps to ensure that fundamental human rights are not only realised but also promoted and protected in the Republic of Palau...Madam President, this year can be considered historic for the Pacific region, particularly for the government and people of Palau as Palau’s President, His Excellency Johnson Toribiong signed yesterday, at the margins of the 66th UNGA, in New York, the remaining core UN human rights treaties namely ICCPR, ICESCR, CEDAW, CAT, ICERD, ICRMW, CRPD, and CED. Madam President, this is a monumental accomplishment for the Republic of Palau as it was only a signatory to the CRC.”

H.E. Mr Jeffrey Antol, Ministry of State Bureau of Foreign Affairs of Palau
Final Remarks Consideration of Palau UPR Reports, 18th Plenary Meeting, 21 September 2011

In September 2009, following a recommendation in their UPR review in 2008, the Tuvalu Court of Appeal met to hear an appeal by the Tuvalu Brethren Church against a 2005 High Court judgment upholding the right of traditional island elder councils to restrict the constitutional right to freedom of religion in cases where they contended it could threaten traditional mores and practices. In its decision, the court set aside the High Court ruling and declared unconstitutional the resolution of the Nanumanga Island Council banning the Brethren Church. The Brethren case was the first appeal of a High Court decision in the country’s history as an independent nation, and the Court of Appeal had never previously been constituted since independence.

2010 Report on International Religious Freedom - Tuvalu

1C How to use the UPR

The UPR is already proving to be a valuable tool for enhancing international attention and state response to human rights violations. While for some states, it is another method of encouragement to improve their human rights record, for others, it is their first involvement in reporting to an international human rights mechanism. Importantly, it places an international spotlight on countries that have not yet ratified and reported on particular human rights treaties. In order for states and civil society to get the most out of the UPR process it is important that they are engaged in the whole UPR cycle. This section briefly outlines what needs to be done during each stage, how to prepare and how to get the most out of the UPR process.⁴⁰

How should we prepare?

Prior to the Review

The significance of the UPR process in the lead up to the review cannot be over emphasised. The process must fully involve the state under review,⁴¹ and states are strongly encouraged by the HRC to conduct a comprehensive consultation of government departments, as well as relevant stakeholders including NGOs and NHRIs.⁴²

During these consultations government departments have the opportunity to outline the situations relevant to their portfolios and highlight the progress they have made on specific human rights concerns. It is also important to ensure that the right people with the relevant expertise and seniority are selected to attend the session in Geneva to give the state the best possible opportunity to answer questions. An opportunity for the members of the delegation to get a chance to practice answers to questions, including who will answer, is also vital to make sure they are prepared for the presentation and interactive session.⁴³

Civil society and NGOs can take the opportunity to advocate for human rights at this stage by encouraging governments to hold consultations, raise awareness of the UPR process and participate in consultation dialogues. Issues and concerns that arise during inclusive and constructive sessions can then be included in the national report. The expertise that these interest groups can bring can be of substantial assistance to states in the preparation of the report.

During the Review

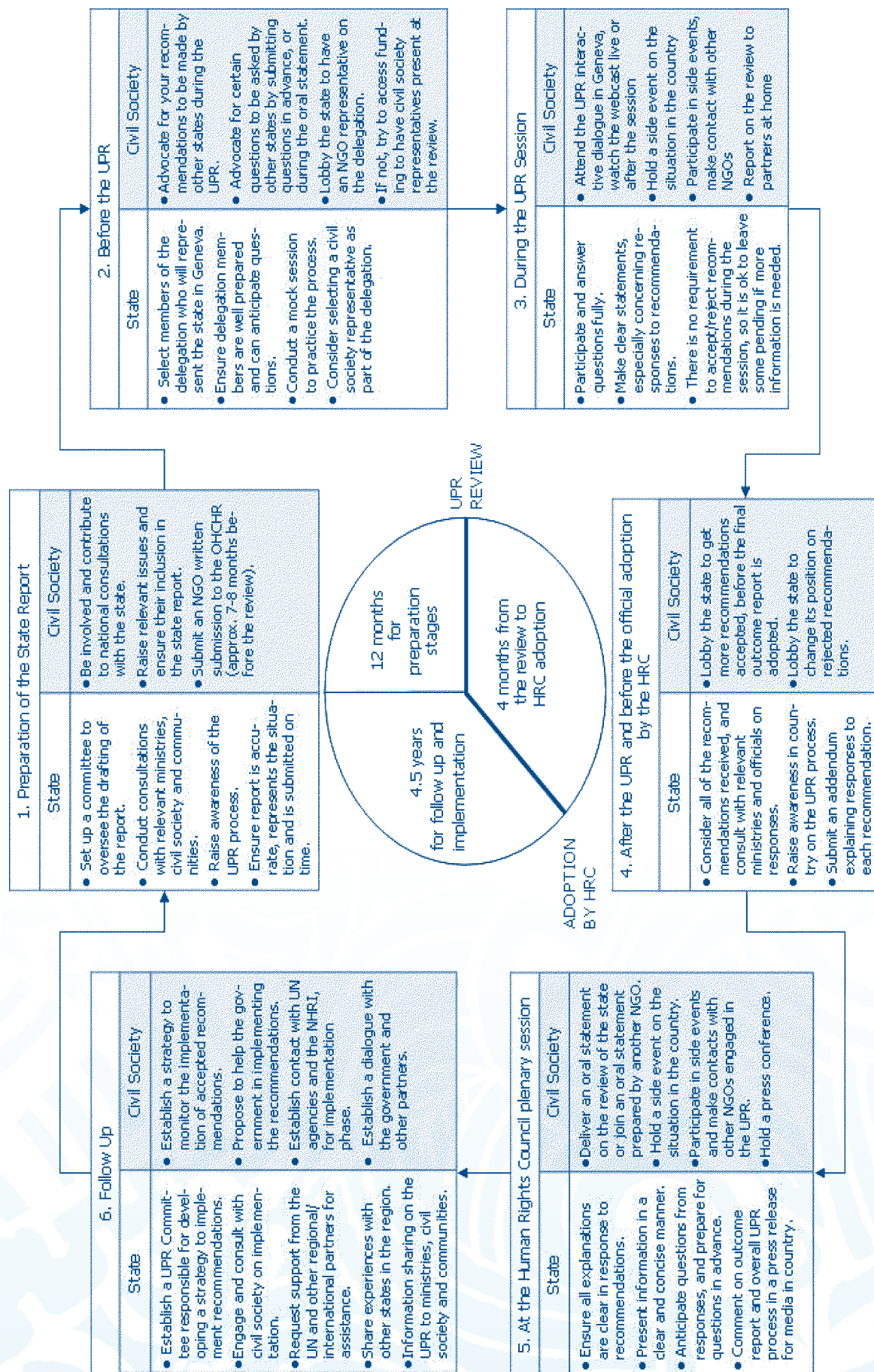
A state may choose to have members of NGOs in the state delegation as experts or, as NGOs cannot speak at the review session, they may choose to lobby UN member states themselves. One possibility of this is to hold a side event to inform states of particular human rights issues and suggest potential questions and recommendations for the review. NGOs may also attend the UPR WG session as observers or make statements in the regular HRC session at the adoption of the outcome report. To do this an NGO must have Economic and Social Council (ECOSOC) status⁴⁴ and be accredited to attend.⁴⁵ Achieving ECOSOC status can be difficult so an alternative for NGOs is to contact another NGO that has received ECOSOC status and liaise with them to take up the issues of concern. For a list of all of the NGOs that have ECOSOC status see www.igc.apc.org/habitat/ngo-rev/status.html.⁴⁶

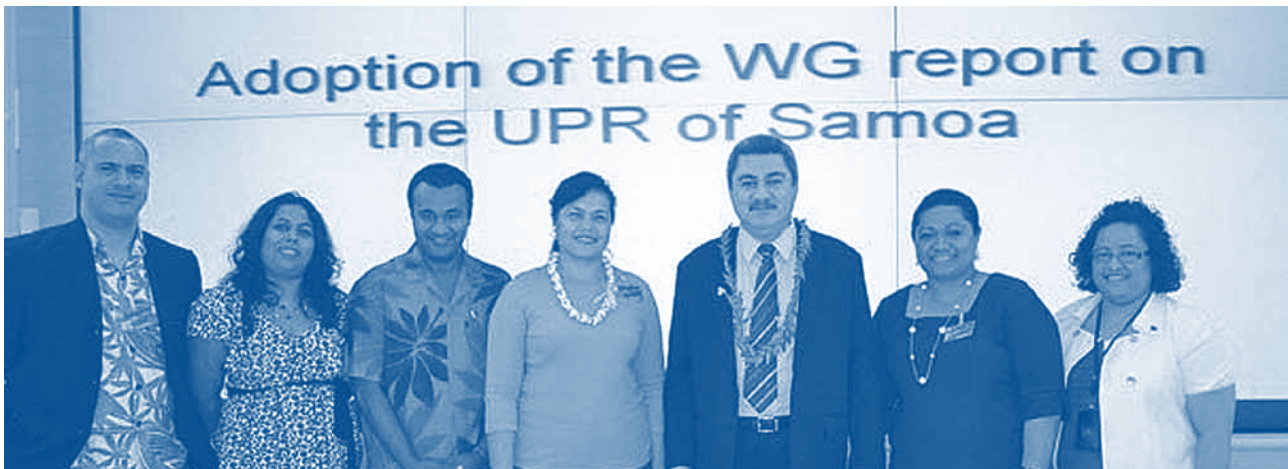
Following the Review

Member states are required to implement the recommendations they have accepted and voluntary commitments they have made. This implementation is a crucial part of the UPR process as it is these reforms which provide tangible improvements in the protection of human rights. Following the UPR, states can arrange to meet with other PICs to share experiences, and encourage participation and contribution in order to build good practice. Building linkages and coalitions with civil society can also be useful in order to implement recommendations. It is also important to ensure transparency throughout the process and encourage ongoing information sharing and awareness to achieve joint goals.⁴⁷

Noting the context of the Pacific region where there is a constraint on both human and financial resources, NGOs can play an important role in supporting states to implement the recommendations. Such groups may be able to provide both knowledge and expertise in the relevant areas which enables government and civil society to work collaboratively to progress the recommendations. Both NGOs and government may also choose to feedback to the media on the UPR, create a report analysing the outcome document, discuss its relevance with the community, and brainstorm strategies to conduct and monitor implementation. NGOs may also wish to create a mid-term report on the states progress to implement accepted recommendations.⁴⁸

Figure 2: Engagement in the UPR Process ⁴⁹





Samoa delegation at the adoption of the Working Group report on the UPR. From left to right: Papalii Malietau Malietoa, Parliamentary Counsel, Attorney General's Office; Seema Naidu, Resource Trainer, SPC RRRT; Filipo Masaurua, Human Rights Advisor, Pacific Islands Forum Secretariat; Fa'alavaau Perina Sila, Deputy CEO Ministry of Foreign Affairs and Trade; Hon. Fonotoe Nuafesili P. Lauofo, Deputy Prime Minister; Leituala Kuiniselani Tago, CEO Ministry of Women, Community and Social Development; and Noelani Manoa, First Secretary, Permanent Mission of Samoa to the UN.

1D Lessons Learned

There were a number of lessons learned that emerged from those involved in the first round of the PIC UPR process which are important to consider when undertaking the second cycle of implementation and reporting.

(a) Lessons Learned for States

- Good to establish UPR Committees (made up of members of national governments and civil society) as early as possible to ensure effective coordination throughout the process. A timeline for the whole UPR process should be drafted by the state, and it is more likely to be followed if it is coordinated through a central coordinating committee. It is critical that the UPR committee is multi-sectoral covering a range of areas (law, health, policy, planning, statistics, education, women, resource management, youth, children etc.) to ensure relevant expertise and to promote a sense of joint responsibility.
- Also good to have one person as the main focal point for the process in country. This person should coordinate and organise all UPR activities, be the central point for communications between parties, and build relationships between Ministries. This is important as it provides stability throughout the process and a central point where people can gain information and updates on activities. This person does need to be supported however by the broader UPR Committee, as the burden of the work should not be placed solely on an individual.
- Consultations and drafting of the report also need to begin early to ensure there is plenty of time to collate information. From feedback from the first round of the UPR, countries which set up their UPR committee and began the reporting process a year in advance found it to be significantly easier, as it gave them time to consult and gather information. Those countries which began the process late felt enormous pressure, and subsequently had less time to consult and collect data.
- It is important to consult and cooperate with stakeholders at each stage of the process to ensure they are involved in the implementation, monitoring and reporting. Consultations should be inclusive, meaningful and genuine in order to be effective. Experience from the first round showed that joint meetings, consultations and trainings with government and civil society representatives formed new partnerships and alliances both between government and civil society as well as between civil society organisations. As the UPR is a state-to-state process it is the responsibility of the state to provide a platform for state/civil society dialogue to occur and facilitate this process.

- Try to provide clear responses to recommendations in order to clarify the level of implementation the state has committed to implement and report on in subsequent rounds. For example using ‘noted’ or ‘supported’ is unclear, it is preferable to clearly accept or reject recommendations. This is important as it clearly communicates the state’s intention to implement actions, and assists when communicating commitments to government ministries, civil society and to the general public. It also means clear plans of action can be developed, with measurable outcomes.
- Suggested delegation size would be five or less individuals. Better if delegations are gender balanced and include someone who was involved in the drafting, someone with a background in international reporting mechanisms, and someone with a legal background specifically in human rights. A number of states also invited an NGO representative to attend with the national delegation, showing true commitment to the UPR process and its objective of facilitating relationship building through consultation and participation.⁵⁰ Getting the composition of the delegation is important as the individuals are representing the state and their appearance, statements, and responses will be critically evaluated by the international community. For example, it is important that the head of delegation be a high level government official who can speak authoritatively on behalf of the state and convey that the country is taking the process seriously, and can answer questions without having to get further authorisation. A legal expert (with experience in international human rights law) needs to be included because at least 50% of the questions require legal knowledge and analysis. It is also useful to have the writer of the report as a part of the delegation or at least ensure that all of the members of the delegation are familiar with the report. Having a gender balanced delegation also conveys a positive image to the international community and supports the commitment to gender of the UPR process. NGO members may be useful for states to have as a part of a delegation as they are knowledgeable about the human rights situation on the ground, however for the NGO representative they may lose their independence by speaking in support of the state.⁵¹
- Mock sessions proved to be a vital part of preparation for state delegations as it gave them a chance to practice their answers and receive critical feedback on their presentation and responses.
- Training and workshops on the UPR were also useful for government officials and civil society alike. They were useful because they led to state ownership of the process and were a meaningful process of engagement and dialogue between the government and civil society. This process worked well in the Pacific context due to the closeness and familiarity between government and civil society organisations (mainly due to small populations). It was also noted however that often, due to a high turnover of staff, information gained in training was lost.

“To be honest, I found the mock session to be more intensive than the Geneva UPR. I know that we didn’t answer all the questions posed to us in Geneva, but we held our own in those questions we did answer.”

Bernard Adiniwin, Ministry of Foreign Affairs,
Member of the RMI delegation
- It was useful to share information within the region about the process especially from countries which were in the earlier sessions of the reporting cycle (i.e. Tonga and Tuvalu). This information was often distributed through training and mock sessions. This information was useful as it provided practical lessons for countries later in the reporting cycle and tips on how to be successful in engaging with the process.
- States need to be aware of the reporting deadlines (although in some circumstances, extensions will be given) and that they cannot wait for the stakeholder reports to be developed before submitting their own reports. Some states wanted to wait to see ‘what the NGOs are saying’ but in reality this isn’t possible due to the time frames.
- The selection of the delegation, the drafting of presentations, and requests for support should all be done well in advance to give the delegation the best chance of being prepared when they get to Geneva.
- It is likely that there will be limited external funding available for state delegations to travel to Geneva. The costs associated with attending sessions including travel, visas, and accommodation are high so this needs

to be planned for well in advance as well as selecting the number of people who will attend. If your country has a representative at the UN (either in New York or Geneva) it may be more cost effective to have them attend as part of the delegation. For funding options see the recommendations below.

(b) Lessons Learned for NGOs and Civil Society Organisations

- It is useful to coordinate the drafting of stakeholders' reports to ensure recommendations are targeted and that human rights issues are adequately covered. It might be useful for groups of like minded organisations to submit joint stakeholder reports or pool resources to achieve aims.

“Organising the Pacific Side Event had its challenges. The discussions to support Pacific NGOs to attend the 11th Working Group session started in February, which gave us about seven weeks to garner support and partnership for this event. One of the challenges was getting the governments to nominate representatives from Samoa, Solomon Islands, PNG and Palau. As most countries did not have a UPR or human rights taskforce it was tremendously difficult to get in touch with the NGOs.

- It is the responsibility of both civil society and the government to give and receive information on the UPR, so it is important to be well informed about the process and hold the state accountable when monitoring progress and reporting. It is beneficial to engage in effective consultation with government and encourage other members of civil society to also engage.

As the NGOs required accreditation, a concept note was circulated to international NGOs with emails for support both through the provision of accreditation and funding. Fortunately APWLD, a long time partner in the Asia Pacific region, expressed an interest to support with accreditation. World YWCA offered to provide any form of assistance and became our Geneva partner. This was critical for visa purposes as immigration rules for NGOs were clear on travel insurance and needed an invite from Geneva. Funding was another issue, as it costs about 15,000-20,000 FJD to get a person to Geneva from the Pacific. We were fortunate however to receive funding support from the Democracy Coalition for two representatives.

- It can be beneficial to work together with international networks to organise funding to attend the UPR in Geneva, or for issues to be voiced through an international organisation that will already be present and has ECOSOC status. If you have decided that you want to go, then planning needs to be done at least four to six months in

advance. It is important to arrive in Geneva well before the session (some recommend at least a month), make contacts before you go, meet up early with contacts when you arrive, ensure that all of the relevant travel documentation is in place (i.e. visas, passports), arrange logistics and publicity well in advance, be prepared with information/pamphlets/communication materials to give out to state representatives, be prepared to engage translators, and develop a strategy for engagement with states (concentrating on 4-5 priority issues).

Organising an event like this requires a lot of planning and follow up, so if you want to make it a success you need to begin planning months in advance, find good partners in Geneva to help, and start looking and applying for funding early.”

Seema Naidu, Resource Trainer RRRT and
Member of Samoa Delegation

- It is important to arrive in Geneva well before the session (some recommend at least a month), make contacts before you go, meet up early with contacts when you arrive, ensure that all of the relevant travel documentation is in place (i.e. visas, passports), arrange logistics and publicity well in advance, be prepared with information/pamphlets/communication materials to give out to state representatives, be prepared to engage translators, and develop a strategy for engagement with states (concentrating on 4-5 priority issues).
- Getting to Geneva proved to be difficult for most NGOs in the Pacific due to the high costs and logistical constraints. For example it was very difficult for NGOs to attend sessions in Geneva independently of the state delegation because of visa restrictions. Passports also need to be sent overseas (sometimes to Australia or New Zealand but in some cases New York) so this also needs to be taken into account during planning.
- Access to the UN buildings for people with disabilities is poor, so additional planning is required if members of your NGO delegation need assistance (see the case study *Faaitino's Experience at the UPR*).
- When preparing stakeholder reports, it can be useful to draw upon shadow reports that have been prepared for other committees such as CEDAW or Special Procedures. It may also be useful to look at other stakeholder reports from other countries prepared for the UPR to get an idea of what is required. Looking at specific thematic issues in other reports may also be useful to use as guidance, for example if you are an NGO focussed on HIV or if freedom of information is a big issue in your country.

- NGOs need to be very aware of the reporting dates as they are not always fixed. They are usually around six months before the state is reviewed, and three months before the state report deadline. This means that stakeholder reports need to be done in advance of the state and cannot be postponed until the state report is completed. This is because OHCHR has to have sufficient time to compile all of the stakeholder information into one concise document. If reports are not submitted on time then it is a missed opportunity for specific issues to be raised which may not be picked up by states.
- It is important if NGOs attend sessions in Geneva that they organise a side event to raise issues with delegations. This is essential given the nature of the UPR as a state process and the difficulty for NGOs to be a part of the official program. Clear advocacy plans need to be put in place before attending sessions in Geneva which define achievable outputs to ensure time and money is well spent.

1E Recommendations

The implementation and monitoring of UPR recommendations is an integral part of the four and a half year reporting cycle to the HRC. The following recommendations are for states and stakeholders to assist them in completing all stages of the UPR process, including implementation. These recommendations for the second cycle of reporting are based on the lessons learned above, and the experience of those who participated in the first round process.

(a) Recommendations for States

- Countries will need to organise consultations with the government, civil society and other stakeholders to inform them of the outcome of the review and begin plans for implementation of accepted recommendations. It is important at this stage to clearly articulate the UPR process and the clear set of actions that the government will be working on between UPR reviews.
- Create a UPR Task Force/Steering Committee to implement the accepted recommendations from the first review and organise requests for international assistance. Ensure that this task force is gender balanced and includes members of civil society organisations.
- Through the UPR Task Force/Steering Committee, develop a plan of action to implement accepted recommendations. For an example of a plan of action see the Kingdom of Bahrain's *Action Plan to Implement Bahrain's Pledges, Voluntary Commitments and UPR Outcomes*.⁵² Also see Nepal's *Action Plan on Implementation of Universal Periodic Review Recommendations*.⁵³ These plans of action can then be used to strategically implement activities with relevant partners, and monitor progress and achievements.
- Organise formal requests for technical and financial assistance where required, and budget and plan for these early. OHCHR has two funds available for assistance in attending the UPR sessions and implementing actions. The Voluntary Fund for Participation in the UPR⁵⁴ is designed only to facilitate the participation of developing and least developed countries in the UPR sessions. It is mainly funding for travel, and training for preparation of national reports. All claims to the fund need to be submitted at least six weeks before the session. The second fund is the UPR Voluntary Fund for Financial and Technical Assistance which is designed to provide 'a source of financial and technical assistance to help countries implement recommendations emanating from the universal periodic review, in consultation with, and with the consent of, the country concerned'.⁵⁵
- Any other requests for targeted technical assistance in preparing information, conducting consultations, writing reports, receiving training or assisting as part of a delegation from regional or national partners, needs to be submitted early to ensure that assistance can be provided on time. It is also important to know the areas in advance that you need assistance with.

- It is useful to study other state's experiences with the HRC to get to know what kinds of questions or recommendations might be posed by different states. Also good to thoroughly read all of the stakeholder reports submitted as these will be used as the basis for questions and recommendations.
- For PICs who have recommendations where implementation may be similar, they may wish to work together to create a roadmap for implementation, as sixteen countries from East and Central Africa agreed.⁵⁶ This could be a way to pool resources to achieve similar goals, share information about plans and analyse where paths of implementation overlap. For example, nearly all of the PICs received recommendations to establish a national or regional human rights institution. If it is not feasible to establish one in every country, then they could pool their resources, link their actions, and support the establishment of a regional body.
- Suggest the creation of a mid-term matrix that sets out each of the accepted recommendations and analyses the steps taken by the state at the two year mark. This can be a useful way of working out what has been achieved and what else needs to be done before the second review. It also allows for the prioritisation of recommendations and a reassessment of the action plan so that any further steps are carefully made within the relevant context of each state.⁵⁷
- Review rejected recommendations (even though the state is under no obligation to report against them) as progress may have been made, and states may be queried on previously rejected recommendations. Issues in these recommendations may also arise during questions on any developments in the human rights situation.
- Through the UPR Task Force/Steering Committee, research the implementation of recommendations by other states including what steps have been taken to address their human rights situation. This can be done in addition to examining their action plans and mid-term reports. This information can then be useful when devising plans of action and strategies to address recommendations.
- It is important to continue to report to other treaty bodies and special procedures. These measures can feed into progress when drafting the second UPR report, and can help to focus attention on specific human rights issues.
- Work effectively with NGOs and civil society as in most instances they will be implementing or assisting with the implementation of activities which will help the state to comply with recommendations.
- Try to disseminate information about the UPR process as much as possible in order to inform the public and other stakeholders of recommendations received and actions to be taken. This can be done in a variety of ways through public awareness and the media.

“The positive thing from our experience was that we managed to anticipate about 90% of the questions. We used each other's experience and also resources developed by different agencies, to think about the issues that might come up. We also had the right people in the delegation. We had the Permanent Secretary from the Ministry of Women, Youth, Children and Family Affairs and most of the questions that we were asked were on women and children. We also had someone from the Law Reform Commission who was able to answer questions on the development of laws.”

Ruby Awa, Resource Trainer RRRT and
Member of the Solomon Islands Delegation

(b) Recommendations for Stakeholders

- Participate fully in the UPR process through the UPR Task Force/Steering Committee and the submission of stakeholder reports to OHCHR. This includes keeping abreast of developments and having access to up-to-date information about the process including dates for submission of reports and dates of sessions.
- If you are planning to request assistance from international organisations to attend sessions in Geneva or to partner with them in running a side event, make sure you make contact at least six months in advance. NGOs based in Geneva can also assist with immigration and visa requirements, as well as logistics for events. If your NGO has links to regional or international NGOs or bodies, use them as a resource to gain information and funding to attend UPR sessions. A good resource to find out information about the UPR process and Geneva based NGOs is **UPR-Info**, an NGO based in Geneva aimed at raising awareness about the UPR process.⁵⁸ Also the **International Service for Human Rights** (ISHR) is a useful organisation to contact as their mandate is to support the engagement of human rights defenders within the UN and regional human rights systems. They also aim to make these systems more effective, more accessible to human rights defenders, and more responsive to their concerns.
- Build relationships with other civil society organisations through coalitions or established civil society coordinating bodies so that issues are raised consistently. Coalitions of organisations working on similar issues may want to submit joint reports to avoid repetition.
- Lobby governments to implement UPR recommendations and hold government to account when reporting against progress, and for inaction.
- Build relationships with the government to assist in implementing recommendations. This may mean developing joint plans and strategies, and helping to fill gaps where the state may not currently be able to fill.
- Write a mid-term report (two years in) assessing government progress against the UPR recommendations, and highlighting areas for improvement.
- Utilise the media to promote the UPR process and hold governments accountable for progress made against recommendations.
- Develop and implement awareness campaigns for communities on the UPR process and consult with communities and community based organisations when drafting reports to the OHCHR.

Who to Contact for Assistance...

Try contacting the following organisations for funding or other assistance. If you are a disability rights organisation:

Disability Rights International

www.disabilityrightsintl.org

Pacific Disability Forum

www.pacificdisability.org

International Disability Alliance

www.internationaldisabilityalliance.org/

If you are a Christian faith based organisation:

World Council of Churches

www.oikoumene.org

If you are a sexual minority rights organisation:

International Lesbian, Gay, Bisexual, Trans and Intersex Association

www.ilga.org

1F The Way Forward

Due to the increasing reporting requirements of countries both as part of the UPR and their international treaty obligations, there is a need to establish a national human rights coordination mechanism to be responsible for all monitoring and reporting. This national human rights coordination mechanism should be multi-sectoral, inclusive of civil society, and have a clear terms of reference and mandate. It is also envisaged that this central coordinating committee would support national efforts in advocating for, and building NHRIs, as well as integrating human rights into government planning across the whole of government. The committee's tasks would include:

- Developing and updating the common core document (CCD).
- Monitoring, implementing and reporting for the UPR.
- Providing oversight and coordinating action.
- Monitoring and reporting on all human rights conventions or overseeing specific task forces that would monitor and report against specific treaties (e.g. CRC, CEDAW, CRPD).
- Ensuring human rights obligations are mainstreamed into national development plans.
- Collating information and human rights related data.

What is the Common Core Document (CCD)?

- The CCD is a new mechanism for treaty reporting designed to make it easier for countries to report.
- It is one basic document that includes a full account of the laws, policies, and infrastructure relating to human rights policy and implementation, including non-discrimination, equality, and remedies for discrimination.
- It provides information that relates directly to the implementation of all the human rights treaties they have ratified.
- Additional treaty-specific reports are still required, but with more limited scope.

It is really up to PIC governments to decide upon how this committee will be established. It may be the expansion of the existing UPR committee, a whole new committee, or a combination of existing structures with new roles and responsibilities. The establishment of this mechanism would reduce the duplication of work across multiple ad hoc committees, and result in a more streamlined reporting process, leading to increased compliance.



Presenters for the Pacific NGO Side Event. Back: Filipo Masaurua, Human Rights Advisor, Pacific Islands Forum Secretariat; Jenta Tau, YWCA Solomon Islands; Seema Naidu, Resource Trainer, SPC RRRRT. Front: Marilyn Havini, Bougainville Human Rights Committee & Women Human Rights Defenders Network; Faatino Masunu Utumapu, Office Manager, Nuanua o le Alofa.

Case Study: Faatino's Experience with the UPR

Faatino Masunu Utumapu is the Office Manager for Nuanua o le Alofa (NOLA), an advocacy organisation established by persons with disabilities to advocate for their rights and equal opportunities to access all aspects of society. It is based in Apia, Samoa.

Before Going to Geneva (training, report writing, committee etc.)

"We have been involved throughout the UPR process. It is the heart of our work to advocate for the promotion and protection of the rights of persons with disabilities in all aspects of life. The Ministry of Foreign Affairs requested RRRT and PIFS to assist with our government's preparation for the UPR process. The Ministry therefore extended the invitation to civil society. We had an inclusive training to really equip government but also to assist civil society in the preparation of their submissions. Samoan Umbrella for Non Government Organisations (SUNGO) agreed to draw together a joint report and asked each organisation to submit information on the status of the community they are serving. We (NOLA) prepared an individual submission as well as submitting information as a part of the SUNGO report, both reports were developed in consultation with people living with disabilities in Samoa.

There were two committees involved in the UPR process in Samoa: one made up of representatives of the relevant government ministries involved; and another combined committee of representatives from national NGOs. Being involved in both reports was very significant in strengthening our issues.

The process in the initial stages was that the two groups came together and shared their views on what should be included and then each group went back and worked on their own report. This was also due to time constraints. We started working on our report about a month before it was due. The report writing itself was very time consuming as it required a lot of research at all levels. We were also lucky because we were always in contact with RRRT and PIFS and they provided a lot of feedback on the report.

We were lucky enough to receive funding through RRRT and PIFS so civil society could be represented. It was a chance to represent civil society, and most importantly address disability issues especially advocating for ratification of the international Convention on the Rights of Persons with Disabilities which Samoa is not yet a party to.

Going to Geneva

Getting to Geneva was time consuming and challenging. There were problems with visas and I had to travel to Wellington to get the visa which then turned out to be the wrong one. Also the flights were tricky as I didn't have a visa for the US so the flights had to be rerouted. Because of the time difference and the delays, I ended up arriving in Geneva a day late.

Access and moving around Geneva was also very difficult especially as a person living with a disability. I felt that I lost my independence in some ways. Many people didn't speak English so you would have to show them the address written down so they knew where to go and it was hard to explain because I couldn't provide the directions.

The UN building especially was not accessible for people with disabilities, even trying to get into the building. However, it was still interesting being the only participant there with a disability and to experience the challenges.

Participating in the Side Event

The side event was a great experience. As I was the only person with a disability participating in the process, it was a good chance to showcase how civil society in Samoa have and continue to actively contribute to the development of Samoa at all levels. Furthermore, it was a golden opportunity to highlight both the successes and challenges of the disability movement in Samoa.

The side event was an excellent way of getting information across to member countries, especially as it was held before the countries had presented to the committee. This gave us a chance to highlight the important issues and give members states ideas about what questions and recommendations to give.

Apart from presenting at the side event, I met up with a representative from the International Disability Alliance (IDA) and she was able to introduce me to the member state representatives that were to make comments. I managed to talk to them and highlight to them what I wanted them to include, and I ended up with nine states recommending the ratification of CRPD. This really was the greatest part of the process. I also distributed some fact sheets to the member states even though this wasn't really allowed. I went in and pretended to get something and left the fact sheets behind on the table.

Attending the sessions in Geneva was a really enlightening process and when we got to Geneva and the government made their presentation, we were really congratulated by the UN state parties for our interactive UPR preparation process. It also really showcases the strength of our civil society to make their voices heard and recognised.

Returning from Geneva

The Geneva process was only the beginning. It was a huge step forward in the development of disability rights and human rights in Samoa. The government is now committed to the ratification of the CRPD, and we have begun trainings on the CRPD itself and the rights of persons with disabilities. There's also been a proposal put forward to establish specific legislation on disability (put forward during the UPR process in recommendation 75.15) through the Attorney General's department. We also have had commitments from AusAID and NZAID to support Samoa to ratify CRPD and part of that commitment is to assist NOLA in supporting other organisations working with persons with disabilities, and to work together to ratify CRPD. We have also had training of leaders, trainers and advisors on CRPD in August this year by IDA, and we will be delivering training on CRPD to people at the community level. We are also analysing policies and legislation to see whether they are compliant with CRPD and how they will need to be amended. The government is also currently conducting a cost benefit analysis of ratifying the CRPD and we are recommending a joint committee with government and civil society, as they really need to take into consideration what needs to be done to ensure the full enjoyment of rights are achieved.

We are currently monitoring the government's progress against the recommendations in preparation for the next round of reporting and seeing where changes have been made in the areas of CRPD, disability legislation and policies, the Disability Action Taskforce Committee and the implementation of the National Policy for Persons with Disabilities."

Interview with Ms Perina Sila

Deputy CEO Ministry of Foreign Affairs and Trade (Samoa)*

In Country Preparation

“The UPR process began as soon as we were informed by the United Nations of our upcoming turn to appear before the UPR Working Group for our report. We immediately started and established a national taskforce. It was a committee that was comprised of all of the relevant government agencies...and we also included in that task force members of civil society.

Two months later after that, we had a national consultation for which we received great technical and financial support from our partner regional organisations namely the PIFS and SPC...The consultation was between the Ministries, government agencies as well as civil society and then after that we started drafting the report. And in the drafting of the report we received comments and replies from other government agencies. We drafted from Foreign Affairs the issues that are relevant to human rights in Samoa in accordance with the guidelines on the UPR report that we received from the UN. When the report was finished in a draft form we put it through Cabinet because we believe it must also enjoy endorsement at the highest level and... after it came back just at the end of November, then we started to have public forums on it. And these public forums were held on the two main islands of Samoa (Upolu and Savai'i) in January. And before we did that we also translated the report into Samoan language because we believe that since we are taking the report to the public and the village communities it must be in a format or in a form that is understandable by every single person.”

Preparation for Geneva

“Travelling to Geneva is a challenge on its own. Firstly we have to obtain our visas from New Zealand. We received some financial support from OHCHR, the rest of the expenses had to be met by government. At the same time we received financial assistance from the government of New Zealand that enabled the participation of some members of my delegation.

We were working closely with the members of the troika, we were also tapping into our colleagues and friends here in Geneva at the missions like New Zealand and also at the UPR Secretariat and we got some very good advice. At the same time...we have a mission in New York at the United Nations and they've also been very helpful to this national endeavour.”

Assessment of the UPR Process

“The UPR process is a good mechanism to allow countries to tell their story of the situation of human rights in their countries. This is the opportunity for countries to come here, to be reviewed by their peers...and say ‘this is what’s happening in my country, we would very much like to work with you to advance, promote and protect human rights in our country but we can only do so much. We would very much like to engage with you to ensure that this endeavour is achieved.’ So for a small island state participating in this, we are not on the sideline anymore, we are actually having a voice but at the same time...there have been some challenges. Some of these challenges are...that we are only given three hours from the time we receive the recommendations from the member countries to look at the recommendations...and come back to the Secretariat and give them our position on what we want to do on these recommendations. It does not give us enough time.

It (UPR) gives the opportunity for the international community to listen to us so they can say ‘that is what is actually happening in that country’. It also gives us an opportunity to engage further with the international community in some of the areas where we feel we would very much like to improve on but we would need their help. Issues like capacity and resource constraints. As a small island state we are very vulnerable to external shocks and natural disasters which affect our human rights, like the right to food security, the right to life, access to education and access to health.”

* This interview was extracted from the UPR-Info Interview of the Month, May 2011 < <http://www.upr-info.org/+Interview-of-the-Month-May-2011-Ms+.html>>

PART TWO

Country UPR Profiles and Indicator Tables



*The Vanuatu Delegation at the UPR; Left to right: Serge Alain Mahe, Roline Lesines, Julie Garleo and Louis Georges
Photo provided by Roline Lesines*

2A Introduction and How to Use Tables

The UPR process is much more than just the creation and review of reports developed for each UPR. In order to fulfil the aims of the UPR mechanism to improve the human rights situation in each country, each state must ensure that the accepted recommendations are implemented before the next cycle of the review.

This section provides a brief summary of the UPR process by country including the major human rights issues that were discussed and recommended during each review. Country specific tables of sample indicators against recommendations are also provided to assist countries in measuring progress and compliance.

RRRT developed these sample indicators as a means of assisting countries to monitor and report progress and achievements against accepted recommendations given during their UPR session. As stated above, when talking about recommendations, these are the specific statements that other countries make during the UPR session about how the state under review could improve its human rights situation. Indicators in this toolkit are designed to help us to understand where we are, where we are going and how far we are from the goal. They are therefore a signpost to tell us whether we are on the right track to achieving compliance or whether we have actually already complied with the recommendation.

There are two types of indicators in the country tables below; progress and compliance indicators. Progress indicators are those that are steps taken towards fulfilling a recommendation and compliance indicators are those actions which result in full compliance with the recommendation. For example, NHRI established is a compliance indicator, but all the steps that go towards establishing the NHRI such as providing budget, holding consultations, drafting of a cabinet paper, establishing a working group and creating a national action plan for establishment, are all progress indicators that are steps towards implementation of a recommendation. It is through these progress indicators that PICs are able to showcase the progress they have made even if they are yet to fully comply with the recommendation made during their first UPR.

These tables have been designed to give examples of work that may have been completed towards or in compliance with each of the recommendations, however they do not provide an exhaustive list of work that countries may have undertaken. Some of the suggested indicators may already have been achieved or substantial funding and



Tuvalu Delegation at the UPR; Left to right: Seve Lausaveve (partly obscured), Eselealofa Apinelu, Manaema Saitala, Imrana Jalal and Enele Sopoanga

resources may have already been committed, so there is no need to view them as necessarily needing additional budget or resources. However it is important to use the UPR process to re-evaluate actions undertaken towards compliance with recommendations and to then cost, resource and mainstream them into national development policies and plans.

The table shows all of the recommendations received (those which were not rejected) in the left hand column arranged in clusters of issues. These clusters are: justice and law reforms; thematic human rights issues (prevention of torture, education, climate change, racism disability); national and regional human rights institution; gender equality; promotion and protection of human rights, education and public awareness; and treaty ratification, treaty reporting and overall work with human rights mechanisms. It is also important to note that the quality of recommendations varies significantly as some are specific and narrowly focused whilst others are broad and vague. This does impact on the ability of the state to implement and show progress and is compounded by the sheer number of recommendations given.

In the middle two columns are lists of sample indicators, on the left are some sample progress indicators and on the right some example compliance indicators. The indicators are given only as examples and are not exhaustive. They are provided to assist countries to recognise some ways in which they *may* have made progress or complied with the recommendations from their UPR. Many of the recommendations given to countries were very similar and so have been grouped together. Each recommendation or group of recommendations has the number of the recommendation in bold after it. To see all of the recommendations given to countries see the summary tables of recommendations in Annex 1.

Do I only need to look at my own country's table?

The main priority of this toolkit is to become familiar with the recommendations received by your country during the UPR process, and to use the toolkit to measure how far you have come in terms of complying with recommendations given. It may be useful to also look at other country tables to see overlaps in recommendations and actions, and work together to achieve joint aims. At the start of each country section (before the table) there is a summary of the main issues that came out from that country's review which can be used to get a general picture of the issues raised, and then more detail can be found in the tables.

2B Country Summaries

In this section, there is an analysis of each of the PICs with information about their first round of reporting to the HRC. Included are also due dates for reporting for the second round and dates for their second round review. These dates are currently only provisional and could change in the future. Country summaries are presented in the order in which they were reviewed during the first round of the UPR.

Tonga

Date of 1st Round Review:	14 May 2008 (14th meeting of the second session) ⁵⁹
Head of Delegation:	His Excellency Mr. Sonatane Tu'akinamolahi Taumoepeau Tupou (Minister for Foreign Affairs, Acting Minister of Defence and Acting Governor of Vava'u) ⁶⁰
Number of Recommendations:	42 (31 accepted, 11 rejected)
2nd Round Report Due:	22 October 2012
Date of 2nd Round Review:	15th Session (21 January - 1 February 2013)

The Kingdom of Tonga was the first PIC to undergo its UPR. The Ministry of Foreign Affairs was responsible for preparing and coordinating Tonga's national report in consultation with the Prime Minister's Office.⁶¹ Consultation took place within challenging time constraints and pre-existing capacity constraints.⁶² Briefings and preparatory work were undertaken with government ministries and agencies⁶³ and almost all of the 49 civil society organisations that are members of the CSFT were unaware of the UPR process. The government stated in its report that it met with CSFT and considered its concerns,⁶⁴ and that consultations had also taken place with a forum representing church leaders, the Tonga Chamber of Commerce and the Tonga Media Council.⁶⁵ Three civil society organisations⁶⁶ submitted stakeholder reports as part of the UPR process raising issues of treaty ratification and reporting, gender equality, VAW, discrimination and the treatment of detainees.⁶⁷

A number of human rights issues emerged during the interactive dialogue and as part of the recommendations. The most prominent issues were the ratification and reporting of international instruments, the establishment of a human rights institution, civil and political rights, gender discrimination and VAW, and children's rights.

Ratification and Reporting on International Instruments

Of the core universal human rights treaties, Tonga is a state party only to the ICERD and the CRC.⁶⁸ See Annex 2 for a full list of treaties ratified and the status of past and current reports to treaty committees. Twenty states raised the issue of ratification and reporting of international human rights instruments with a number of these referring to ratification of specific instruments, including the ICCPR, ICESCR and CEDAW.⁶⁹ Noting the lack of capacity by Tonga to fulfil such requirements and responding to the request by Tonga for support,⁷⁰ six of these states also supported Tonga's request for international assistance to meet ratification and reporting obligations⁷¹ and an additional five noted or supported a need for general support and technical assistance.⁷² From the interactive discussion, 11 recommendations were made on the theme of ratification and reporting on international instruments which included recommendations requesting the necessary international technical assistance.

Tonga welcomed offers of assistance in meeting these obligations⁷³ and reiterated its requests for assistance in its national report. It accepted all the recommendations related to this theme, bar the recommendation calling for ratification of the Rome Statute of the International Criminal Court.⁷⁴

Establishment of a Human Rights Institution

Four states⁷⁵ noted the lack of a NHRI, but the establishment of a Police Complaints Commissioner and an Anti-Corruption Commission were seen as important steps in enhancing Tonga's institutional human rights framework.⁷⁶ Three recommendations were made on the issue,⁷⁷ however Tonga noted that the establishment of a NHRI was impractical in light of the capacity constraints at the time of reporting. The delegation did note however, that progress is underway on exploring a regional alternative with the Commonwealth Secretariat and the PIFS.⁷⁸

Rights of Detainees

During the interactive dialogue, six member states raised human rights issues surrounding the Nuku'alofa riots in 2006, including the accountability of the police force and further human rights training of police and defence personnel.⁷⁹ Full court trials on events surrounding the riots have been commended⁸⁰ but it was highlighted that Tonga had yet to respond to the appeal by the Special Representative of the Secretary-General on the situation of human rights defenders in respect to these issues.⁸¹ Enquires were also made about the steps taken to implement the recommendations of the joint appeal by three special procedures on the treatment of detainees and prisoners by security forces.⁸² Four recommendations were made relating to issues surrounding the riot, of which Tonga accepted two and rejected two. Tonga accepted to promote human rights education programmes for police, security and penal personnel and to consider the implementation of recommendations by special procedures to create institutional safeguards against the harsh treatment by police and security forces.⁸³ Recommendations calling for increased access by civil society organisations into prisons and for an investigation to be launched surrounding the treatment of detainees during the riot, were among those rejected by Tonga.⁸⁴

In its national report Tonga stated that it does not condone the ill-treatment of any citizen and that there are currently 320 riot related cases before the Tongan courts.⁸⁵ Until such cases are determined, the government communicated its decision to refrain from any comment which might affect the due process of law. It did note during the review however that the diversion scheme set up specifically to deal with offenders from the riot had been successful.⁸⁶

Gender

Seventeen states raised gender as a theme during the interactive dialogue with the majority of issues relating to discrimination against women in regards to laws of inheritance and land ownership, as well as VAW.⁸⁷ Some states enquired about measures to combat these issues, while others encouraged a gender perspective to be incorporated into the follow-up to the review. From this discussion, five gender related recommendations⁸⁸ were made, of which Tonga accepted all but one. The rejected recommendation called for amendment of legislation discriminating against women in the fields of inheritance, ownership of land and child support.⁸⁹

During the discussion Tonga pointed out that its patrilineal land tenure system also appears to disadvantage younger male siblings as well as female ones and that any widow or eldest daughter may have a life interest in family land pending the majority or creation of a new male heir.⁹⁰ In its national report, Tonga highlighted the government's proposal to amend land laws to allow women to inherit where there is no male heir.⁹¹ The report also pointed out that despite some women being in positions of power there remain issues to be addressed⁹² and that VAW continues to be a serious social challenge.⁹³

Children

Nine states discussed issues relating to the rights of children during the interactive dialogue, including three which solely mentioned the issue in relation to ratification and reporting on international instruments concerning the rights of the child.⁹⁴ Tonga was commended on its efforts to provide access to education and support for children with disabilities.⁹⁵ Concerns were raised however, in regards to 'disparented'⁹⁶ children and the numbers of children dropping out of school. In response to discussions on the issue of disparented children, Tonga noted that there were extended family and social networks in the country that often provided safety nets of support for children whose parents are not at home.⁹⁷

Country Indicator Table - Tonga

THEMATIC AREA – Justice and Law Reforms		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
Continue and speed up the democratisation process (Rec. 63/1, 63/2).	<ul style="list-style-type: none"> Continue national reconciliation and civic education workshops to inform citizens of the political reform process. Convene a national body to preside over all constitutional and electoral reforms. Examine the current parliamentary structure in consultation with all relevant stakeholders. Support the election of female candidates to Parliament. 	<ul style="list-style-type: none"> Free and fair national elections held.⁹⁸ Parliamentary structure reformed.
Continue to request technical assistance and financial support to redraft the Kingdom's Constitution (Rec. 63/20).	<ul style="list-style-type: none"> Conduct consultations with relevant stakeholders (including relevant ministries) to discuss the redrafting of the Constitution. Request financial and technical assistance for redrafting the Constitution from international/regional partners. 	<ul style="list-style-type: none"> Technical assistance given to redraft the Constitution.
Continue to uphold the core values that are in the Tongan constitutional and customary history, in its work to ensure full compliance with human rights and fundamental freedoms for all Tongans (Rec. 63/26).	<ul style="list-style-type: none"> Core values assessed to ensure compliance with principles of non-discrimination and gender equality. Discussion and open dialogue regarding the intersection of Tongan constitutional and customary history and international obligations. Information sharing about human rights practices which intersect custom and international obligations. 	<ul style="list-style-type: none"> Features of the legal framework which are consistent with international obligations and custom promoted.

THEMATIC AREA – Thematic Human Rights Issues (Prevention of torture, education, climate change, racism, disability)		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
Consider the implementation of recommendations by special procedures so that there are institutional safeguards against harsh treatment by police and security forces. (Rec. 63/4).	<ul style="list-style-type: none"> • # of police and security forces trained on human rights. • Conduct review of police and security forces policies in relation to treatment of detainees. • Prosecute and dismiss police and members of the security forces who are involved in the mistreatment of detainees. 	<ul style="list-style-type: none"> • Institutional safeguards in place to protect citizens from harsh treatment by police and security forces.⁹⁹ • Treatment of prisoners is in compliance with international standards.¹⁰⁰ • Human rights incorporated into new police recruits training.
Adopt measures to strengthen the protection of freedom of expression, information and the press (Rec. 63/21, 63/22).	<ul style="list-style-type: none"> • Education and awareness programs for the public on freedom of expression, information and the press. • Consult with civil society and key stakeholders about freedom of expression, information and the press. • Develop policies and legislation to safeguard freedom of expression, information and the press (for example FOI legislation). 	<ul style="list-style-type: none"> • FOI policy approved and legislation enacted. • Media can operate freely, and freedom of association, expression and movement is safeguarded.

<p>Pay increased attention to persons with disabilities and their related needs (Rec. 63/28).</p>	<ul style="list-style-type: none"> • Provide support to the DPO. • Conduct a policy and legislative review to ensure all provisions do not discriminate against persons with disabilities. • Create timeline for ratification of the CRPD. • Conduct consultations of relevant stakeholders on plans to sign and ratify the CRPD and discuss the implications. • Debate the issue of CRPD ratification in Parliament. • Draft a cabinet paper on the ratification of CRPD. • Conduct consultations with specific disability related stakeholders. • Conduct scoping/surveys to gather information on the current situation for persons with disabilities in Tonga. • Conduct disability training with stakeholders including government, the judiciary, and the police. 	<ul style="list-style-type: none"> • Government policies and national legislation amended to prohibit discrimination against persons with disabilities. • CRPD is ratified by the government of Tonga, in consultation with relevant stakeholders and interest groups. • Creation of a government/civil service position to oversee disability, which is fully funded and resourced.
<p>Take all the possible anti-corruption measures (Rec. 63/29).</p>	<ul style="list-style-type: none"> • Consult with relevant stakeholders about anti-corruption measures, and the establishment of an Anti-Corruption Commission. • Request international/regional technical and financial assistance to implement the Anti-Corruption Act 2007 including the establishment of the Anti-Corruption Commission. • Develop a plan for ascension to the UN Convention against Corruption. 	<ul style="list-style-type: none"> • Implement the <i>Anti-Corruption Act 2007</i>. • Establish the Anti-Corruption Commission as outlined in the Anti-Corruption Act 2007. • UN Convention against Corruption is ratified by the government of Tonga, in consultation with relevant stakeholders and interest groups.¹⁰¹
<p>Request technical assistance and financial support to improve education services (Rec. 63/20); and continue to promote its ambitious goals in education (Rec. 63/10).</p>	<ul style="list-style-type: none"> • Continue to implement the <i>Education Policy Framework 2004 – 2019</i>. • Request technical assistance from international and regional partners to assist in the implementation of the framework. • Conduct public awareness on the <i>Education Policy Framework</i> and educate the community about its achievements. 	<ul style="list-style-type: none"> • Improvement/maintenance in literacy rate. • Equitable access to education for boys and girls, as well as those living in rural areas. • Improvements in the quality of education practice and facilities.

THEMATIC AREA – National and Regional Human Rights Institutions		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Establish a national human rights institution in accordance with the Paris Principles (Rec. 63/23, 63/24); or create, if not a national human rights institution, at least one at the level of the group of islands it belongs to, so that they may more effectively improve their human rights performance and implement their human rights obligations (Rec. 63/25).</p>	<ul style="list-style-type: none"> • Conduct/attend consultations of relevant stakeholders on what regional and national human rights mechanisms are, the benefits and challenges, and the impacts of establishing one. • # communications/requests sent to regional/international bodies to help with establishment. • Draft a policy paper on the creation of a national or regional human rights institution. • Establish a timeline and pathway for establishment. • Create a select committee/WG to facilitate establishment. • Support PIFS Working Group on a Regional Human Rights Mechanism 	<ul style="list-style-type: none"> • National/regional human rights institution established in accordance with the Paris Principles.¹⁰² • Enact legislation to create a national human rights institution or support the establishment of a regional body.
THEMATIC AREA – Gender Equality		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Improve the ratio of women in leading positions in the country (Rec. 63/10).</p>	<ul style="list-style-type: none"> • Examine barriers to women being represented in decision-making, and develop a strategy to address these barriers. • Support women in leadership programs and initiatives. • Review equal opportunity provisions in policies and legislation and examine whether temporary special measures or quotas need to be adopted. • Develop an action plan for the implementation of temporary special measures. • Engage and consult with women's groups on promoting women's empowerment in all levels of society. 	<ul style="list-style-type: none"> • Adoption of relevant temporary special measures in policy and legislation. • Increase in the number of women in leadership positions.

<p>Pursue its efforts in order to curb the violence against women (Rec. 63/11).</p>	<ul style="list-style-type: none"> • Draft national policy on women’s equality and elimination of VAW. • Conduct human rights education workshops on VAW for civil servants, including police, legal service agencies and communities. • Hold consultations with relevant stakeholders (including relevant ministries) on the development of VAW legislation. • Draft legislation in partnership with international/regional organisations. • Review the application of policies/practices to identify areas that may need amendment with the introduction of VAW legislation. • Relevant Minister prepares Cabinet memo regarding proposed VAW legislation. 	<ul style="list-style-type: none"> • Strategy for reduction of VAW in Tonga developed, implemented and fully funded. • Legislation and policies on VAW enacted. • Implement and resource the ‘no drop’ policy. • New policies and changes to existing policies approved by Cabinet. • VAW legislation approved by Parliament.
<p>Systematically and continuously integrate a gender perspective in the follow-up process to the review (Rec. 63/12).</p>	<ul style="list-style-type: none"> • # of women in the UPR Task Force/Steering Committee. • # of women’s groups consulted in the follow up to the review. 	<ul style="list-style-type: none"> • Gender issues reflected in the state report. • # of stakeholder reports highlighting gender issues. • Gender impact analysis included in state report.
<p>Enact laws to protect women in employment free from any form of discrimination (Rec. 63/9).</p>	<ul style="list-style-type: none"> • Conduct a legislative and policy review/gap analysis in the area of employment to identify areas that need amendment using a gender perspective. • Draft changes in partnership with international/regional organisations. • Review the application of policies/practices to identify areas that may need amendment. • Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to existing legislation/policy. • Relevant Minister prepares Cabinet memo regarding proposed amendments. 	<ul style="list-style-type: none"> • All employment legislation/policies in line with CEDAW.¹⁰³ • Policy changes approved by Cabinet. • Changes in legislation approved by Parliament.

<p>Consider signing and ratifying CEDAW and consider especially article 15 and 16 thereof which relate to the equal right of women to administer property and the equal rights of both spouses in respect of the ownership, acquisition, management, enjoyment and disposition of property; continue to proceed with the work of reviewing and making necessary adjustments to relevant domestic laws and regulations for the prompt ratification of CEDAW (Rec. 63/6, 63/7)</p>	<ul style="list-style-type: none"> • Create timeline for ratification of the CEDAW. • Conduct consultations of relevant stakeholders on plans to sign and ratify the CEDAW, and discuss the implications. • Debate the issue of CEDAW ratification in Parliament. • Draft a cabinet paper on the ratification of CEDAW. • Conduct a legislative and policy review/ gap analysis to identify areas that need amendment. • Draft changes in partnership with international/regional organisations. • Review the application of policies/practices to identify areas that may need amendment. • Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to existing legislation/ policy. • Relevant Minister prepares Cabinet memo regarding proposed amendments. • Create a Select Committee to facilitate harmonisation of international law with domestic law. 	<ul style="list-style-type: none"> • CEDAW is ratified by the government of Tonga, in consultation with relevant stakeholders and interest groups. • All legislation/policy harmonised with CEDAW.¹⁰⁴ • Policy changes approved by Cabinet. • Changes in legislation approved by Parliament.
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THEMATIC AREA – Promotion and protection of human rights, education, and public awareness		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
Strengthen its efforts in the area of human rights education, training of public officials and on the participation of civil society in the promotion and protection of human rights (Rec. 63/19, 63/20), including through international and regional cooperation (Rec. 63/14); and continue its endeavours towards better serving its people by securing a higher standard of human rights (Rec. 63/27).	<ul style="list-style-type: none"> • # of police, law enforcement officials, staff of government ministries and other relevant stakeholders trained in human rights. • # of human rights focused NGOs freely advocating on contentious human rights issues. • WG established on the promotion and protection of human rights. • Support human rights programs of civil society/NGOs. 	<ul style="list-style-type: none"> • Human rights education institutionalised, with relevant curriculum in place. • Ongoing budget allocated for human rights education. • Take measures to mainstream human rights into public education (including education and training of health workers, teachers, public officials, lawyers, justice officials etc.).
Follow-up on the requests for capacity-building and technical assistance on human rights (Rec. 63/18).	<ul style="list-style-type: none"> • Request technical and capacity building assistance from international/regional organisations and development partners. • # of communications with international/regional organisations and development partners. 	<ul style="list-style-type: none"> • Technical and capacity building assistance received, leading to an increase in government capacity on human rights.

THEMATIC AREA – Treaty ratifications, treaty reporting and overall work with human rights mechanisms		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Consider ratification of core international human rights treaties and optional protocols (ICCPR, ICESCR, CEDAW, OP-CEDAW, CAT and OP-CRC-SC) (Rec. 63/3, 63/5, 63/6, 63/7); and advise potential donor agencies of the type of technical assistance that would help to meet its treaty body reporting obligations (Rec. 63/13).</p>	<ul style="list-style-type: none"> • Create a timeline regarding treaty ratification. • # requests/correspondence/communication to OHCHR to assist the government to ratify international instruments. • Draft a cabinet paper on ratification of international instruments and the implications for national policy and legislation. • Parliamentary debates on the ratification of international instruments. • Conduct consultations of relevant stakeholders (including relevant ministries) on plans to sign and ratify international treaties and to discuss impacts. • Conduct human rights training for police, law enforcement officials, staff of government ministries and other relevant stakeholders on the impacts of treaty domestication. • Submit proposal to donor agencies requesting assistance in meeting its reporting obligations. 	<ul style="list-style-type: none"> • International treaties and protocols signed and ratified by the government. • All human rights treaty reporting completed to schedule.

<p>Submit regularly its reports to the treaty bodies of the conventions it is party to, like the Committee on the Rights of the Child and the Committee on the Elimination of Racial Discrimination (Rec. 63/8, 63/17).</p>	<ul style="list-style-type: none"> • Create a National Human Rights Coordination Group (made up of government and civil society) to coordinate all human rights treaty reporting. • Consider developing a common core document for all treaty reporting. • Consult with relevant stakeholders about the status of children’s rights and racial discrimination in Tonga. 	<ul style="list-style-type: none"> • All reporting obligations to the Committee on the Rights of the Child and the Committee on the Elimination of Racial Discrimination met. • # of stakeholder reports submitted through the treaty reporting process. • All domestic legislation harmonised with the CRC and ICERD. • Creation of a National Human Rights Coordination Group including a government/civil service position to coordinate issues related to human rights (including reporting), which is fully funded and resourced. • Common core document developed and used for treaty reporting.
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<p>Continue cooperating with civil society in the implementation of the outcome process (Rec. 63/30); share its experiences of the UPR with other Pacific Island States (Rec. 63.15) and officially seek to renew its request for assistance to the OHCHR in this respect and also through the UPR Trust Fund established specifically to assist in the implementation of recommendations emanating from the UPR (Rec. 63/16).</p>	<ul style="list-style-type: none"> • Publish an article/media release/hold a press conference on the UPR process and the impact it could have on improving human rights. • Create a UPR Task Force/Steering Committee (with relevant members from government and civil society) to coordinate a plan of action to implement accepted recommendations. • Ensure transparency in the process through publication of progress updates to media and relevant stakeholders. • Draw upon the knowledge and expertise of civil society to support the government in implementing recommendations. • Disseminate experiences and lessons learned through the first round of the UPR to other PICs through international/regional forums, press releases and direct communications. • Request OHCHR for assistance in implementation of recommendations from the review. 	<ul style="list-style-type: none"> • Civil society is involved at all stages of follow up and implementation of recommendations from the review. • Other PICs are informed about the UPR process. • Assistance from OHCHR received for the implementation of recommendations.
<p>Participate more fully with international human rights mechanisms, especially special procedures of the Human Rights Council. (Rec. 63/3).</p>	<ul style="list-style-type: none"> • Consult with relevant stakeholders (including relevant ministries) about extending a standing invitation to all human rights special procedures, and the consequences (e.g. financial). • Provide information to the public about human rights special procedures. 	<ul style="list-style-type: none"> • Standing invitation extended to all human rights special procedures.

Tuvalu

Date of 1st Round Review:	11 December 2008 (16th meeting of third session) ¹⁰⁵
Head of Delegation:	His Excellency Mr. Enele Sopoaga (Permanent Secretary for the Department of Foreign Affairs and Labour) ¹⁰⁶
Number of Recommendations:	29 (27 accepted, two rejected)
2nd Round Report Due:	21 January 2013
Date of 2nd Round Review:	16th session (22 April - 3 May 2013)

A UPR National Task Force was appointed to initiate and coordinate consultations among relevant stakeholders in the preparation of the national report for Tuvalu.¹⁰⁷ Consultations between government stakeholders and civil society took place despite severe capacity constraints, with not all of the 45 NGOs in Tuvalu aware of the UPR. During the review Tuvalu expressed a commitment to initiate partnerships with stakeholders in order to build local capacities,¹⁰⁸ and to work with civil society in this regard in the follow up to the review.¹⁰⁹ A recommendation to this effect was accepted by the government.¹¹⁰ Briefings and consultations were also undertaken within government ministries and departments.¹¹¹ Six civil society organisations¹¹² submitted independent stakeholder reports to the HRC as part of the UPR process raising issues, among others, of a national human rights body, treaty ratification and reporting, gender discrimination and VAW, freedom of religion, and climate change.¹¹³

A number of key human rights issues were raised during the interactive dialogue by member states which were also reflected in the recommendations made. These issues included: the ratification and implementation of international human rights treaties; the creation of a human rights institution; gender discrimination, VAW, and climate change.

Ratification and Reporting on International Human Rights Treaties

Of the core human rights treaties, Tuvalu is a state party only to CEDAW and the CRC.¹¹⁴ See Annex 2 for a full list of treaties ratified and the status of past and current reports to treaty committees. Twelve states urged Tuvalu to take further measures to ratify and implement international human rights treaties.¹¹⁵ During this discussion states made note of the resource and capacity constraints that exist within Tuvalu as barriers to implementation and reporting on international instruments, but urged Tuvalu to incorporate these instruments into its domestic legislation and to meet its reporting obligations.¹¹⁶ From these discussions, four recommendations were made relating to ratification and reporting on international human rights instruments¹¹⁷ and three recommendations were made on incorporating treaty obligations into national legislation.¹¹⁸

Tuvalu responded to say that while it is committed to the spirit and substance of these conventions,¹¹⁹ resource and capacity constraints provide the greatest challenge to ratification and implementation.¹²⁰ The Tuvalu delegation was encouraged by pledges of support from the international community to provide assistance¹²¹ and restated their full commitment to accede to international conventions.¹²² In regards to the incorporation of international treaties into national legislation, Tuvalu responded that the government would consult upon and amend such laws as necessary.¹²³

Establishment of a Human Rights Institution

During the interactive dialogue, nine states raised the need to strengthen the institutional human rights framework in Tuvalu, with New Zealand and Mexico supporting the establishment of an Ombudsman.¹²⁴ A number of states also called for the establishment of a NHRI to further promote and protect human rights in Tuvalu.¹²⁵ Four recommendations were made in relation to these discussions.¹²⁶

Tuvalu responded to these recommendations to say that it supported the concept of establishing a national human rights mechanism¹²⁷ and that it is trying to find ways to implement this commitment realistically.¹²⁸ As a practical solution, the delegation noted that the government is considering pooling resources in support of a regional mechanism that would be overseen by the SPC and the PIFS, and could assist in the implementation of human rights, including ratification of international treaties.¹²⁹ Tuvalu also recognised the practicality of establishing an Ombudsman as an initial step to addressing human rights, and that the government was considering this proposal.¹³⁰

Gender

Fifteen states raised issues relating to the rights of women during the interactive dialogue of Tuvalu's review.¹³¹ The concerns they voiced included discrimination against women, particularly regarding land and inheritance rights, as well as the lack of provision in the Constitution to prohibit discrimination on the grounds of sex and gender. The absence of legislation on domestic violence was also widely noted. Three recommendations regarding the rights of women were accepted¹³² and one recommendation was rejected.¹³³

Tuvalu responded that the government had committed itself to collaborating with stakeholders to review the issue of discrimination against women and the lack of a constitutional protection against discrimination on the basis of sex and gender,¹³⁴ with a view to amending the Constitution to include sex-gender discrimination and introduce a clause protecting customary land inheritance laws. The delegation also stated that it was fully committed to addressing domestic violence and penalties for rape.

Climate Change

The issue of climate change was raised during the interactive dialogue by six states,¹³⁵ which voiced their appreciation of the state's actions to raise awareness on climate change and also raised their concerns at the inability of Tuvalu to deal with the impact of climate change on human rights. Tuvalu expressed its concern at the human rights implications of seawater intrusion as a result of climate change¹³⁶ and noted its appreciation regarding questions by member states. It also stated that it is working in close cooperation with the international community on this issue.¹³⁷

Country Indicator Table - Tuvalu

THEMATIC AREA – Justice and Law Reforms		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Prioritise necessary reforms to modernise legislation and eliminate all forms of discrimination; and continue efforts to harmonise national legislation with international human rights instruments (Rec. 67/9, Rec. 67/10).</p>	<ul style="list-style-type: none"> Conduct a legislative and policy review/gap analysis to identify areas that need amendment. Draft amendments in partnership with international/regional organisations. Review the application of policies/practices to identify areas that may need amendment. Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to existing legislation/policy. Relevant Minister prepares Cabinet memo regarding proposed amendments. Create a select committee to facilitate harmonisation of international law with domestic law. 	<ul style="list-style-type: none"> All legislation harmonised with international human rights instruments. All discriminatory provisions in legislation eliminated. Policy amendments approved by Cabinet. Changes in legislation approved by Parliament.
<p>Convene the Court of Appeal in the interests of the pending appeal to the High Court ruling in 2005 on the case of Teonea v Kaupule (Rec. 67/13).</p>	<ul style="list-style-type: none"> Timeframe established to convene the Court of Appeal. 	<ul style="list-style-type: none"> Court of Appeal convened in line with sections 134-135 of the Constitution, to address the appeal in the case of Teonea v Kaupule.
<p>Make the necessary improvements in the field of legislative reform on the punishment of sexual abuse of children, land, family laws (Rec. 68/3) and to eliminate corporal punishment (Rec. 68/8).</p>	<ul style="list-style-type: none"> Conduct a legislative and policy review/gap analysis of the Penal Code and laws affecting the rights of women (e.g. Matrimonial Proceedings Act, Custody of Children Act, Native Lands Ordinance) to identify areas that need amendment. Draft amendments in partnership with international/regional organisations. Review the application of policies/practices to identify areas that may need amendment. Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to existing legislation/policy. Relevant Minister prepares Cabinet memo regarding proposed amendments. 	<ul style="list-style-type: none"> Penal Code includes the offences of sexual abuse against minors and eliminates corporal punishment. Family laws and laws related to the ownership of land are compliant with CEDAW.¹³⁸ Policy amendments approved by Cabinet. Amendments to legislation approved by Parliament.

<p>Incorporate fully in its legislation the provisions of the CRC to enhance the protection of children's rights (Rec. 68/2); and to strengthen public policy guaranteeing the rights of the child, with special attention to children without parental care (Rec. 68/1).</p>	<ul style="list-style-type: none"> • Create a CRC Working Group (made up of government and civil society) to discuss the incorporation of the CRC into national legislation. • Consult with relevant stakeholders about the status of children's rights in Tuvalu. • # of police, law enforcement officials, staff of government ministries and other relevant stakeholders trained in children's rights. • Draft national policy, strategy and plan of action on children, including those without parental care. 	<ul style="list-style-type: none"> • All domestic legislation harmonised with the CRC. • Government/civil service position created to oversee issues related to children, which is fully funded and resourced.
<p>THEMATIC AREA – Thematic Human Rights Issues (Prevention of torture, education, climate change, racism, disability)</p>		
<p>Recommendation</p>	<p>Sample Progress Indicators</p>	<p>Sample Compliance Indicators</p>
<p>Amend the Constitution to prohibit discrimination against persons with disabilities (Rec. 68/5).</p>	<ul style="list-style-type: none"> • Conduct a review/gap analysis to identify areas that need amendment. • Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to the Constitution. 	<ul style="list-style-type: none"> • Constitution amended to prohibit discrimination against persons with disabilities. • Amendments to the Constitution approved by Parliament.
<p>Keep working in cooperation with OHCHR on the theme of the upcoming Review Conference on racism, racial discrimination, xenophobia and related intolerance (Rec. 67/11).</p>	<ul style="list-style-type: none"> • Create a timeline for the ratification of ICERD. • Fully participate in the Review Conference on racism, racial discrimination, xenophobia and related intolerance. • # correspondence/communication with OHCHR on the Review Conference. 	<ul style="list-style-type: none"> • Successfully engaged with OHCHR on the Review Conference on racism, racial discrimination, xenophobia and related intolerance.

<p>Raise the awareness of the population of the impact of climate change and involve the population more; promote international cooperation to combat climate change; continue to engage with the international community; and participate in discussions in the Council (Rec. 67/15).</p>	<ul style="list-style-type: none"> • # of awareness activities/workshops for communities and officials on climate change including its connection to human rights, its consequences, as well as mitigation and adaptation planning. • Involve communities and officials in climate change planning and advocacy. • # of climate change related international meetings attended and contributed to. • Prepare national climate change and sustainable development policies and plans. • Correspondence and discussions with parties to the UN Framework Convention on Climate Change. 	<ul style="list-style-type: none"> • Community engaged in climate change mitigation and adaptation processes. • Regular engagement with the international community on climate change, including promotion of international cooperation. • Participated fully in HRC discussions on human rights and climate change. • Other parties to the UN Framework Convention on Climate Change lobbied to reach a global agreement on climate change. • Number of fully funded projects implemented on climate change. • Adopt a rights based approach to tackling the effects of climate change.
<p>Accord appropriate attention to the education sector in the medium and long term as the only way to correct the lack of human resources and institutional capacities in the country (Rec. 67/16).</p>	<ul style="list-style-type: none"> • Conduct research into the situation of children in Tuvalu, including why children are not accessing education. • Develop key education policies which promote access to free quality education for all. • Prioritise human resource development in the education sector including teacher training for all levels of education. 	<ul style="list-style-type: none"> • Improvement/maintenance in literacy rate. • Equitable access to education between Funafati and the outer islands. • Reduction in female drop outs. • Reduction in barriers to children accessing and attending education. • Increase in school attendance and reduction in drop outs. • Implement and monitor progress against the Tuvalu Education Strategic Plan 2011-2015.

Improve the implementation of the law on granting asylum (Rec. 68/9).	<ul style="list-style-type: none"> Establish body to process asylum seeker claims. Request assistance from the international community for the establishment of a processing body and advice on best practice. 	<ul style="list-style-type: none"> System established to provide protection for those seeking asylum, in line with international law. All claims processed expeditiously.
THEMATIC AREA – National and Regional Human Rights Institutions		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
Establish a human rights institution in accordance with the Paris Principles and address a call by Tuvalu for technical assistance in the establishment of a human rights institution (Rec. 67/7, 67/9) and effectively strengthen its human rights institutional framework (Rec. 67/6, 67/7, 68/3).	<ul style="list-style-type: none"> Conduct/attend consultations of relevant stakeholders on what regional and national human rights mechanisms are, the benefits and challenges, and the impacts of establishing one. # communications/requests sent to regional/international bodies to help with establishment. Draft a policy paper on the creation of a national or regional human rights institution. Establish a timeline and pathway for establishment. Create a select committee/WG to facilitate establishment. Support PIFS Working Group on a Regional Human Rights Mechanism. 	<ul style="list-style-type: none"> National/regional human rights institution established in accordance with the Paris Principles.¹³⁹ Enact legislation to create a national human rights institution or support the establishment of a regional body.
Consider appointing an Ombudsman with responsibility for investigating alleged violations of human rights as a short-term measure (Rec. 68/4).	<ul style="list-style-type: none"> Conduct consultations with relevant stakeholders (including relevant ministries) to discuss the appointment of an Ombudsman. Establish a timeline and pathway for the appointment of an Ombudsman. Enact legislation to create the appointment of an Ombudsman. 	<ul style="list-style-type: none"> Ombudsman appointed. Legislation to create the appointment of an Ombudsman enacted by Parliament.

THEMATIC AREA – Gender Equality		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
Develop a comprehensive strategy to reduce domestic violence in Tuvalu including by raising awareness of the issue and identifying ways to combat such violence (Rec. 67/12).	<ul style="list-style-type: none"> • Draft national policy on women’s equality and elimination of VAW. • Conduct human rights education workshops on VAW for civil servants, including police, legal service agencies and communities. • Hold consultations with relevant stakeholders (including relevant ministries) on the development of VAW legislation. • Draft legislation in partnership with international/regional organisations. • Review the application of policies/practices to identify areas that may need amendment with the introduction of VAW legislation. • Relevant Minister prepares Cabinet memo regarding proposed VAW legislation. 	<ul style="list-style-type: none"> • Strategy for reduction of VAW in Tuvalu developed, implemented and fully funded. • Implement and resource the ‘no drop’ policy. • Legislation and policies on VAW enacted.
Eliminate any legislation that has discriminatory effects against women, implement the relevant recommendations of CEDAW, strengthen measures to promote the equal rights of women, amend the constitution to include freedom from discrimination on the grounds of sex (Rec. 68/6).	<ul style="list-style-type: none"> • Conduct a review/gap analysis to identify areas that need amendment. • Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to the Constitution and relevant legislation. • Implementation of mechanisms to support gender equality – i.e. gender responsive budgeting, temporary special measures. • Conduct consultations with specific gender related stakeholders. • Conduct scoping/surveys to gather information and statistics on women’s human rights issues (VAW, women in parliament, girls in school etc.). • Conduct gender training with stakeholders including government, the judiciary, and the police. 	<ul style="list-style-type: none"> • All existing legislation compliant with CEDAW.¹⁴⁰ • Constitution amended to include sex and gender as prohibited grounds for discrimination. • All reporting obligations to the Committee on the Elimination of Discrimination against Women met. • Government/civil service position to oversee gender created which is fully funded and resourced.

<p>Penalise rape, whoever is responsible, including marital rape (Rec. 68/7).</p>	<ul style="list-style-type: none"> • Conduct a legislative and policy review/gap analysis of the Penal Code to identify areas that need amendment. • Draft amendments in partnership with international/regional organisations. • Review the application of policies/practices to identify areas that may need amendment. • Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to existing legislation/policy. • Relevant Minister prepares Cabinet memo regarding proposed amendments. • Train law enforcement agencies and legal professionals on VAW and human rights. 	<ul style="list-style-type: none"> • Rape, including marital rape, is penalised. • Policy amendments approved by Cabinet. • Amendments in legislation approved by Parliament.
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THEMATIC AREA – Promotion and protection of human rights, education, and public awareness

Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Promote concrete programs to raise awareness of human rights (Rec. 67/6); conduct human rights training for officers responsible for dealing with law enforcement (Rec. 67/9); promote and protect human rights (Rec. 67/14).</p>	<ul style="list-style-type: none"> • # of police, law enforcement officials, staff of government ministries and other relevant stakeholders trained in human rights. • Support human rights programs of civil society/NGOs 	<ul style="list-style-type: none"> • Human rights is a part of training curriculum for police, corrections, lawyers and justice officials • Ongoing budget allocated for human rights education. • Take measures to mainstream human rights into public education (including education and training of health workers, teachers, public officials, lawyers, justice officials etc.).

<p>The features of Tuvalu's legal framework, which incorporates customary law but excludes those precepts which may be perceived as violations of human rights, and which always gives precedence to the interpretation of law that is compatible with the international obligations, be singled out as good practices in the field of human rights (Rec. 68/10).</p>	<ul style="list-style-type: none"> • Discussion and open dialogue regarding the intersection of custom and international obligations. • Information sharing about human rights practices which intersect custom and international obligations. 	<ul style="list-style-type: none"> • Features of the legal framework which are consistent with international obligations and custom, promoted.
THEMATIC AREA – Treaty ratifications, treaty reporting and overall work with human rights mechanisms		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Consider ratification of core international human rights treaties (ICCPR, ICESCR, ICERD, CAT) (Rec. 67/1, 67/2, 67/3) and make use of technical assistance from OHCHR to ratify main international instruments (Rec. 67/2).</p>	<ul style="list-style-type: none"> • Create a timeline regarding treaty ratification. • # requests/correspondence/communication to OHCHR to assist the government to ratify international instruments. • Draft a cabinet paper on ratification of international instruments and the implications for national policy and legislation. • Parliamentary debates on the ratification of international instruments. • Conduct consultations of relevant stakeholders (including relevant ministries) on plans to sign and ratify international treaties and to discuss impacts. • Conduct human rights training for police, law enforcement officials, staff of government ministries and other relevant stakeholders on the impacts of treaty domestication. 	<ul style="list-style-type: none"> • International treaties and protocols signed and ratified by the government.

<p>To meet its reporting obligations under CRC (Rec. 67/4).</p>	<ul style="list-style-type: none"> • Create a National Human Rights Coordination Group (made up of government and civil society) to coordinate all human rights treaty reporting. • Consider developing a common core document for all treaty reporting. • Consult with relevant stakeholders about the status of human rights in Tuvalu. • # requests/correspondence to OHCHR and treaty bodies regarding assistance with treaty reporting. 	<ul style="list-style-type: none"> • All reporting obligations to the CRC met. • # of stakeholder reports submitted through the treaty reporting process. • All domestic legislation harmonised with ratified international treaties. • Creation of a National Human Rights Coordination Group including a government/ civil service position to coordinate issues related to human rights (including reporting), which is fully funded and resourced. • Common core document developed and used for treaty reporting.
<p>Extend standing invitation to all human rights special procedures (Rec. 67/5).</p>	<ul style="list-style-type: none"> • Consult with relevant stakeholders (including relevant ministries) about extending a standing invitation to all human rights special procedures, and the consequences (e.g. financial). • Provide information to the public about human rights special procedures. 	<ul style="list-style-type: none"> • Standing invitation extended to all human rights special procedures.
<p>Work with civil society on follow-up to the review (Rec. 67/17).</p>	<ul style="list-style-type: none"> • Publish an article/media release/hold a press conference on the UPR process and the impact it could have on improving human rights. • Create a UPR Task Force/Steering Committee (with relevant members from government and civil society) to coordinate a plan of action to implement accepted recommendations. • Ensure transparency in the process through publication of progress updates to media and relevant stakeholders. • Draw upon the knowledge and expertise of civil society to support the government in implementing recommendations. 	<ul style="list-style-type: none"> • Civil society is involved at all stages of follow up and implementation of recommendations from the review.

Vanuatu

Date of 1st Round Review:	12 May 2009 (13th meeting of fifth session) ¹⁴¹
Head of Delegation:	Ms. Roline Lesines (Labour Department, Vice-Chairperson of the Vanuatu UPR Committee) ¹⁴²
Number of Recommendations:	49 (44 accepted, four rejected, one partly accepted/rejected)
2nd Round Report Due:	28 October 2013
Date of 2nd Round Review:	18th session (January – February 2014)

In preparing for the UPR, the government appointed a committee (Universal Periodic Review Committee) made up of members of different government departments.¹⁴³ The committee sought to gather information through conducting interviews with relevant stakeholders in the government and within civil society.¹⁴⁴ Six stakeholder reports¹⁴⁵ were submitted to the HRC as part of the UPR process, with two of these reports completed jointly by a coalition of civil society organisations. Issues raised by the stakeholders reports included gender equality, VAW, customary law, right to participate in public life, education, and climate change.¹⁴⁶

A number of key human rights issues were raised during the interactive dialogue by member states which were also reflected in the recommendations made. These issues included: the ratification and reporting against international human rights treaties, establishment of a national human rights institution, gender, the rights of detainees, and children's rights.

Ratification and Reporting on International Human Rights Treaties

Of the core human rights treaties, Vanuatu is a state party to the ICCPR, CEDAW, OP-CEDAW, CRC, OP-CRC-AC, OP-CRC-SC and CAT.¹⁴⁷ See Annex 2 for a full list of treaties ratified and the status of past and current reports to treaty committees. Eleven states urged Vanuatu to consider becoming a state party to a number of the human rights treaties including ICERD, ICESCR, CAT and OP-CAT¹⁴⁸ during the interactive discussion, with 14 recommendations made relating to the ratification and reporting of international human rights treaties.¹⁴⁹ Of these recommendations, Vanuatu accepted 10 and rejected four. Regarding the rejected recommendations, they stated that Vanuatu is not yet prepared to accede to the ICERD, ICESCR, ICRMW and ICCPR-OP 2 at this stage, and stated that regarding the ICESCR it was rejected due to the high threshold of obligations and financial constraints.¹⁵⁰

Establishment of a Human Rights Institution

During the interactive dialogue, six states mentioned the possible establishment of a NHRI in Vanuatu, with two states requesting further funding and assistance to the Ombudsman's office to enhance its ability to investigate and pursue cases.¹⁵¹ Two recommendations were given regarding the establishment of a NHRI with one specifically stating that Vanuatu would need to have the assistance of the OHCHR and the international community.¹⁵² Two recommendations were given regarding the strengthening of the Ombudsman's office, including an increase in funding to aggressively prosecute cases of corruption.¹⁵³

Vanuatu accepted all of the above recommendations, and stated in their presentation that they acknowledged the Paris Principles and following the UPR they would pursue the creation of a NHRI with sufficient technical assistance from the international community and the OHCHR.¹⁵⁴

Gender

Eighteen states raised issues related to gender and women's rights during the interactive dialogue session with 13 specific recommendations being made.¹⁵⁵ The range of issues raised included discrimination against women, the implementation of CEDAW and its incorporation into domestic law, the implementation and monitoring of the *Family Protection Act*, participation of women in politics and decision making, the application of customary practices and its intersection with women's rights, and introducing a no drop policy on domestic violence. All of the 13 recommendations made were accepted by Vanuatu.

During the country statement, the delegation stated that Vanuatu had progressed the rights of women through the passing of the *Family Protection Act* and the development of a clear action plan for its implementation.¹⁵⁶ They stated that they are also improving women's access to justice through the training of police officers, community based counselling services, and awareness programs on domestic violence.¹⁵⁷ The government is also implementing a land reform program which emphasises the role of women in decision making and adjudicating in land disputes.¹⁵⁸

Rights of Detainees

A number of questions were raised regarding the treatment and conditions of detention, both during the interactive dialogue and as part of the recommendations. Questions were raised by five states during the interactive dialogue regarding the conditions in detention facilities and prisons (including conditions for juveniles) and the humane and lawful treatment of detainees by the police and the justice system.¹⁵⁹ Five recommendations were given regarding the rights of detainees including the improvement of prison conditions, access to detention facilities by independent civil society organisations, ensuring effective means of redress when rights are violated, and the timely and thorough investigation of allegations of abuse and torture.¹⁶⁰

Vanuatu acknowledged that more needed to be done on this issue but it would need to report back to the HRC after further consulting with the relevant ministries.

Children

A range of issues were raised on the rights of children including free and compulsory education, the abolition of corporal punishment, juvenile justice and infant and child mortality. During the interactive dialogue 11 states made reference to the rights of children,¹⁶¹ with 10 recommendations being made during the session.¹⁶² All of the recommendations relating to children were accepted, except the section of recommendation 56/20 which stated that the government should consider applying adequate sanctions for parents who fail to send their children to school.¹⁶³

As a part of Vanuatu's presentation it stated that in 2010 the Council of Ministers had decided that education was to be free from grades 1 to 8, and stationary had been supplied to assist children to attend school.¹⁶³ In response to questions raised during the interactive dialogue, the government stated that it was very much committed to education and over the past three years funding to the education sector has significantly increased.¹⁶⁵

Country Indicator Table - Vanuatu

THEMATIC AREA – Justice and Law Reforms		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
Take further steps to ensure the independence of the judiciary (Rec. 56/37); strengthen the functioning of its judiciary and its human rights institutional framework (Rec. 56/31); and enhance the capacity, neutrality and independence of the judiciary (Rec. 56/37).	<ul style="list-style-type: none"> Provide training for judges, lawyers, magistrates and court officials on human rights. Request regional/international support to strengthen the judiciary and ensure its independence. Support ongoing training and professional development of judges, magistrates and court officials. Transparent process in place for the selection of judges/magistrates. 	<ul style="list-style-type: none"> Judiciary strengthened and operating independently.¹⁶⁶
Review its domestic legislation and take appropriate measures to bring it into full conformity with all human rights conventions to which it is a party (CEDAW, CRC) (Rec. 56/9).	<ul style="list-style-type: none"> Conduct a legislative and policy review/gap analysis to identify areas that need amendment. Draft amendments in partnership with international/regional organisations. Review the application of policies/practices to identify areas that may need amendment. Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to existing legislation/policy. Relevant Minister prepares Cabinet memo regarding proposed amendments. Create a select committee to facilitate harmonization of international law with domestic law. 	<ul style="list-style-type: none"> All legislation harmonised with international human rights instruments. All discriminatory provisions in legislation eliminated. Policy amendments approved by Cabinet. Amendments in legislation approved by Parliament.

<p>Consider reviewing the legislation on the minimum age for criminal responsibility with the purpose of bringing it into full conformity with the CRC (Rec. 56/13).</p>	<ul style="list-style-type: none"> • Conduct a legislative and policy review/gap analysis of the <i>Penal Code</i> to identify areas that need amendment. • Draft amendments in partnership with international/regional organisations. • Review the application of policies/practices to identify areas that may need amendment. • Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to existing legislation/policy. • Relevant Minister prepares Cabinet memo regarding proposed amendments. 	<ul style="list-style-type: none"> • <i>Penal Code</i> in line with CRC regarding the minimum age for criminal responsibility. • Policy amendments approved by Cabinet. • Amendments in legislation approved by Parliament.
<p>THEMATIC AREA – Thematic Human Rights Issues (Prevention of torture, education, climate change, racism, disability)</p>		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Strengthen its efforts to implement the CRPD by amending the Constitution to prohibit discrimination against persons with disabilities and support the role of disabled persons' organizations (Rec. 56/14).</p>	<ul style="list-style-type: none"> • Conduct a review/gap analysis to identify areas that need amendment. • Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to the Constitution. • Draft amendments in partnership with international/regional organisations. • Review the application of policies/practices to identify areas that may need amendment. • Consult with key disabled persons' organisations on areas where they need support and assistance. 	<ul style="list-style-type: none"> • Constitution amended to prohibit discrimination against persons with disabilities. • Disabled persons' organisations supported to continue quality operations by the government of Vanuatu. • Amendments to the Constitution approved by Parliament. • Creation of a government/civil service position to oversee disability as a key focal point for disability organisations, which is fully funded and resourced.

<p>Expedite action to address the two issues contained in paragraphs 30(a) and (b) of the national report through the proposed amendment to the <i>Representation of the People Act</i> (Rec. 56/15).</p>	<ul style="list-style-type: none"> • Conduct a legislative and policy review/gap analysis of the <i>Representation of the People Act</i> to identify areas that need amendment. • Draft amendments in partnership with international/regional organisations. • Review the application of policies/practices to identify areas that may need amendment. • Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to existing legislation/policy. • Relevant Minister prepares Cabinet memo regarding proposed amendments. 	<ul style="list-style-type: none"> • <i>Representation of the People Act</i> amended. • Policy amendments approved by Cabinet • Amendments to legislation approved by Parliament.
<p>Promote awareness-raising programmes on the importance of education of children (Rec. 56/20); and intensify efforts to ensure access to free compulsory education for all children in the country (Rec. 56/21) as well as promote effective efforts to keep children in schools, particularly girls (Rec. 56/42, 56/43).</p>	<ul style="list-style-type: none"> • Conduct research into the situation of children in Vanuatu, including why children are not accessing education. • Develop an action plan based on the issues raised with parents, communities, and relevant stakeholders. • Support the education department to measure and report changes in attendance, drop outs, quality of teaching and infrastructure on a regular basis. • Support communities, parents and children to raise awareness on the importance of education. • Address barriers to children accessing free education. • Address reasons why children are dropping out of school, especially girls. • Continue to monitor the on-time implementation of the <i>VESS</i> and the <i>Gender Equity in Education Policy 2005-2015</i> and working towards piloting free and compulsory education in the country. 	<ul style="list-style-type: none"> • Reduction in barriers to children accessing and attending education. • Increase in school attendance and reduction in drop outs. • Education is free and compulsory.

<p>Pursue the initiative to establish Child Desk Officers within the Department of Women's Affairs (Rec. 56/21).</p>	<ul style="list-style-type: none"> • Draft position descriptions for Child Desk Officers. • Advertise positions and conduct recruitment process. • Ensure budgets include costs related to the positions, including implementation of activities. • Monitor and performance manage the staff including regular performance appraisals against key performance indicators. 	<ul style="list-style-type: none"> • Child Desk officers fully funded and resourced and in place within the Department of Women's Affairs.
<p>Take efficient measures to combat corruption (Rec. 56/22).</p>	<ul style="list-style-type: none"> • Consider ascension to the UN Convention against Corruption, and create a timeline to ascend. • Strengthen the powers of the Ombudsman's office to effectively prosecute cases of corruption. • Reinstate the amendment to the <i>Ombudsmans Act</i>. • Awareness raising for government officials, law enforcement and communities on corruption and how to address corrupt practices. • Monitor the implementation of the <i>Ombudsman Act</i> and amend if necessary. 	<ul style="list-style-type: none"> • Sign and ratify the UN Convention against Corruption. • All existing legislation and policies compliant with the UN Convention against Corruption. • Cases of corruption are investigated and prosecuted by the Ombudsman.¹⁶⁷
<p>Take necessary measures to ensure that discrimination on the basis of disability, economic status, sexual orientation or living with HIV/AIDS is prevented (Rec. 56/25).</p>	<ul style="list-style-type: none"> • Ensure that the relevant provisions of the Constitution are amended to include freedom from discrimination on the grounds of disability, economic status, sexual orientation, or HIV status. • Conduct a review of all policy and legislation to identify areas which may need amendment. • Consult with relevant stakeholders and ministries about drafting a specific piece of anti-discrimination legislation, or amendments to existing legislation. • Draft amendments in partnership with international/regional organisations. • Review the application of policies/practices to identify areas that may need amendment. • Relevant Minister prepares Cabinet memo regarding proposed amendments. 	<ul style="list-style-type: none"> • All legislation and policies have specific anti-discrimination provisions including provisions for redress. • Policy amendments approved by Cabinet. • Amendments to legislation approved by Parliament.

<p>Review and continue working towards improving conditions in prisons and detention centres, in particular where juveniles are concerned; allow access to detention facilities by civil society organizations; and ensure that detainees have immediate and effective means of redress and protection when their rights are violated (Rec. 56/27, Rec. 56/28); ensure a thorough and timely investigation by the Ministry of Justice and Social Welfare of the allegations in the detainee report and subsequently reform the practices of the Correctional Services officers and police forces as needed (Rec. 56/29); adopt a proactive approach to implement any recommendations (Rec. 56/30); ensure effective investigation into all allegations of torture (Rec. 56/33).</p>	<ul style="list-style-type: none"> • Conduct a review of prison conditions and detention centres, particularly conditions for juveniles. • Allow access to detention centres by independent civil society organisations. • Implement the recommendations from the Commission of Inquiry on the state of detainees by the Ministry of Justice and Social Welfare. • Review policies and practices of police and correctional service officers including providing adequate redress for detainees. • Train police and prison/detention centre officials in human rights and juvenile justice. • Investigate thoroughly any allegations of torture, and bring perpetrators to account. 	<ul style="list-style-type: none"> • Detainees have effective means of redress when their rights are violated. • Prison conditions are in compliance with international standards.¹⁶⁸ • Treatment of prisoners is in compliance with international standards.¹⁶⁹
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<p>Take all measures to eradicate the practice of corporal punishment in the family and juvenile justice systems and to ensure effective implementation of the ban on this punishment in schools (Rec. 56/36).</p>	<ul style="list-style-type: none"> • Conduct review of all relevant policy and legislation and ensure provisions exist which outlaw corporal punishment in the family, in the juvenile justice system and in schools. • Draft any policy or legislative changes in partnership with international/regional organisations. • Review the application of policies/practices to identify areas that may need amendment. • Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to existing legislation/policy. • Relevant Minister prepares Cabinet memo regarding proposed amendments. • Ensure comprehensive awareness raising of the prohibition of all corporal punishment and other inhuman or degrading treatment and humiliation of children. • Ensure comprehensive awareness raising of children's rights amongst communities, families, police, government officials and legal professionals. 	<ul style="list-style-type: none"> • Ban enforced on corporal punishment in schools. • Decrease in incidents of corporal punishment in public and private. • Policy changes approved by Cabinet. • Amendments to legislation approved by Parliament.
<p>Proceed with its efforts to improve the health system, combat diseases (e.g. HIV and AIDS, malaria), improve maternal health and reduce child mortality rates (Rec. 56/40); and step up its efforts to ensure adequate access to quality basic health, education, water and sanitation services, particularly for those living in isolated rural areas and for vulnerable groups, in particular children (Rec. 56/41).</p>	<ul style="list-style-type: none"> • Assess current access to services especially for those living in rural and remote areas. • Develop a plan for implementation of essential services in consultation with communities, key stakeholders and implementing agencies. • Implement recommendations of the taskforce appointed to review and reform the Ministry of Health. • Request funding and technical assistance from development partners/donors to improve service delivery especially for those in rural and remote areas. • Encourage ownership of services by the community through ongoing community engagement, for example in the maintenance and upkeep of health posts, schools etc. 	<ul style="list-style-type: none"> • Access to adequate water, sanitation, education and essential services fully funded and resourced. • Invest resources in essential services for those in both urban and rural areas, including provision of infrastructure. • Invest in training of quality personnel and provide incentives to work in essential services. • Improvements in key development indicators.

<p>Request the international community to reduce greenhouse gas emissions to 'safe' levels, and fund adaptation measures to help Vanuatu cope with changes that are already taking place; and with the support and cooperation of the international community, seek to build up its capacities to effectively respond to natural disasters (Rec. 56/47).</p>	<ul style="list-style-type: none"> · Involve communities and officials in climate change planning and advocacy. · # of climate change related international meetings attended and contributed to. · Prepare national climate change and sustainable development policies. · Correspondence and discussions with parties to the UN Framework Convention on Climate Change. 	<ul style="list-style-type: none"> · Communities engaged in climate change mitigation and adaptation processes. · Regular engagement with the international community on climate change, including promotion of international cooperation. · Participated fully in HRC discussions on human rights and climate change. · Other parties to the UN Framework Convention on Climate Change lobbied to reach a global agreement on climate change. · Number of fully funded projects implemented on climate change. · Adopt a rights based approach to tackling the effects of climate change.
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THEMATIC AREA – National and Regional Human Rights Institutions

Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Establish a national human rights institution in accordance with the Paris Principles (Rec. 56/16, 56/48) with the assistance of OHCHR and support from the international community (Rec. 56/48).</p>	<ul style="list-style-type: none"> · Conduct/attend consultations of relevant stakeholders on what regional and national human rights mechanisms are, the benefits and challenges, and the impacts of establishing one. · # communications/requests sent to regional/international bodies to help with establishment. · Draft a policy paper on the creation of a national or regional human rights institution. · Establish a timeline and pathway for establishment. · Create a select committee/WG to facilitate establishment. · Support PIFS Working Group on a Regional Human Rights Mechanism. 	<ul style="list-style-type: none"> · National/regional human rights institution established in accordance with the Paris Principles.¹⁷⁰ · Enact legislation to create a national human rights institution or support the establishment of a regional body.

<p>Continue strengthening the role of the Ombudsman's office, including its ability to follow up on the results of its investigations, and namely to increase efforts to provide it with sufficient funding to allow for more aggressive prosecution of corruption cases (Rec. 56/17, 56/38); and amend the judicial rules so that the Ombudsman's reports are more easily admissible in court (Rec. 56/38).</p>	<ul style="list-style-type: none"> • Increase funding to the Ombudsman's office to ensure effective functioning. • Support and encourage the work of the Ombudsman's office including prosecution of corruption cases. • Review judicial rules to ensure Ombudsman's reports are admissible in court. • Awareness raising for government officials, law enforcement and communities on corruption and how to address corrupt practices. • Monitor the implementation of the <i>Ombudsman Act</i> and amend if necessary. 	<ul style="list-style-type: none"> • Ombudsman's office strengthened and effectively investigating and prosecuting cases.¹⁷¹
THEMATIC AREA – Gender Equality		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Take prompt action to implement the Family Protection Act (Rec. 56/8) and adopt further comprehensive measures to combat violence against women (Rec. 56/32, 56/34) including by increasing public awareness campaigns to sensitize the community on the issue, making legal aid available to all victims of violence (Rec. 56/34, 56/35, 56/32) and adopting a “no drop” policy to ensure that all cases of domestic violence are properly investigated (Rec. 56/32).</p>	<ul style="list-style-type: none"> • Begin immediate action to implement the <i>Family Protection Act</i> including any immediate changes to policy and practice that need to be implemented. • Conduct awareness on the implementation of the <i>Family Protection Act</i> for government officials, law enforcement agencies and communities. • Conduct a legislative and policy review/gap analysis to identify further areas that need amendment. • Draft amendments to current legislation in partnership with international/regional organisations. • Review the application of policies/practices to identify areas that may need amendment. • Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to existing legislation/policy. • Relevant Minister prepares Cabinet memo regarding proposed amendments. • Utilise media (print, radio, TV, internet) to spread messages about gender-based violence and its negative consequences. • Support providers of legal aid and community outreach programs to raise awareness of services. 	<ul style="list-style-type: none"> • <i>Family Protection Act</i> implemented, fully funded and resourced. • Implement and resource the ‘no drop’ policy. • Free legal aid available and accessible to victims of violence • Policy changes approved by Cabinet. • Amendments to legislation approved by Parliament.

<p>Review and amend all relevant legislation so as to eliminate all forms of discrimination against or marginalization of women, and continue to incorporate CEDAW principles into its domestic legislation (Rec. 56/9, 56/10, 56/11, 56/12); in particular in the job market and national political life through support of the National Council for Women (Rec. 56/24, 56/39); and ensure the primacy of laws protecting the equality of women over customary practices that are contrary to such principles (Rec. 56/26).</p>	<ul style="list-style-type: none"> • Conduct a review/gap analysis to identify areas that need amendment. • Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to the Constitution and relevant legislation. • Implementation of mechanisms to support gender equality – i.e. gender responsive budgeting, temporary special measures. • Conduct consultations with specific gender related stakeholders. • Conduct scoping/surveys to gather information and statistics on women’s human rights issues (VAW, women in parliament, girls in school etc.). • Conduct gender training with stakeholders including government, the judiciary, and the police. • Request assistance from appropriate regional/international bodies to complete reports to the Committee on the Elimination of Discrimination against Women. • Discussion and open dialogue regarding the intersection of custom and international obligations. 	<ul style="list-style-type: none"> • All existing legislation compliant with CEDAW.¹⁷⁰ • All reporting obligations to the Committee on the Elimination of All Forms of Discrimination against Women met. • Amendments to the Constitution/legislation approved by Parliament. • Government/civil service position created to oversee gender, fully funded and resourced.
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THEMATIC AREA – Promotion and protection of human rights, education, and public awareness

Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Exhaustively conduct human rights education and awareness-raising activities to inform all citizens of their rights (Rec. 56/19, 56/31).</p>	<ul style="list-style-type: none"> • # of village/community leaders and other community members trained in human rights, including international human rights standards, non-discrimination and gender. • Support human rights programs of civil society/NGOs. • Promote and develop awareness campaigns on citizen’s rights, access to the formal justice system, as well as information on redress mechanisms. 	<ul style="list-style-type: none"> • Take measures to mainstream human rights into public education (including education and training of health workers, teachers, public officials, lawyers, justice officials etc.). • Human rights education institutionalised, with relevant curriculum in place. • Ongoing budget allocated for human rights education.

Support further human rights training for police, corrections, lawyers, and justice officials (Rec. 56/28, 56/31).	<ul style="list-style-type: none"> • # of police, law enforcement officials, staff of government ministries and other relevant stakeholders trained in human rights. • Support human rights training programs of civil society/NGOs. 	<ul style="list-style-type: none"> • Human rights is a part of training curriculum for police, corrections, lawyers and justice officials • Ongoing budget allocated for human rights education.
Seek from the international community and the relevant UN agencies, the technical and financial assistance needed to help the government to overcome challenges and the constraints; in order to strengthen the capacity of Vanuatu in the area of human rights (Rec. 56/44, 56/46).	<ul style="list-style-type: none"> • Request assistance from regional/international partners to implement human rights programs in Vanuatu. • Encourage development partners and donors to prioritise programming and funding for human rights activities. • Support civil society organisations working in human rights to access funding and resources to continue operation. 	<ul style="list-style-type: none"> • Assistance from regional/international partners requested to advance human rights in Vanuatu.

THEMATIC AREA – Treaty Ratifications, treaty reporting and overall work with human rights mechanisms

Recommendation	Sample Progress Indicators	Sample Compliance Indicators
Consider ratification of CAT, OP-CAT, and the UN Convention against Corruption. (Rec. 56/1, 56/4) and make good use of technical assistance from the OHCHR to accede to the ICESCR, the ICERD and the CAT (Rec. 56/45).	<ul style="list-style-type: none"> • Create a timeline regarding treaty ratification. • # requests/correspondence/communication to OHCHR to assist the government to ratify international instruments. • Draft a cabinet paper on ratification of international instruments and the implications for national policy and legislation. • Parliamentary debates on the ratification of international instruments. • Conduct consultations of relevant stakeholders (including relevant ministries) on plans to sign and ratify international treaties and to discuss impacts. • Conduct human rights training for police, law enforcement officials, staff of government ministries and other relevant stakeholders on the impacts of treaty domestication. 	<ul style="list-style-type: none"> • International treaties and protocols signed and ratified by the government.

<p>Follow up its ratification of the CEDAW and the CRC (Rec. 56/6, 56/9).</p>	<ul style="list-style-type: none"> · Create a National Human Rights Coordination Group (made up of government and civil society) to coordinate all human rights treaty reporting. · Consider developing a common core document for all treaty reporting. · Consult with relevant stakeholders about the status of human rights in Vanuatu. · # requests/correspondence to OHCHR and treaty bodies regarding assistance with treaty reporting. 	<ul style="list-style-type: none"> · All reporting obligations to treaty bodies met. · # of stakeholder reports submitted through the treaty reporting process. · All domestic legislation harmonised with ratified international treaties. · Creation of a National Human Rights Coordination Group including a government/ civil service position to coordinate issues related to human rights (including reporting), which is fully funded and resourced. · Common core document developed and used for treaty reporting.
<p>Step up cooperation with UN Special Procedures (Rec. 56/23).</p>	<ul style="list-style-type: none"> · Assist and cooperate with UN Special Procedures particularly when country visits and responses are required. · Ensure government ministries, NGOs and civil society are aware of UN Special Procedures and how to engage with the process. 	<ul style="list-style-type: none"> · Cooperation between Vanuatu and UN Special Procedures improved.
<p>Involve civil society organisations in the follow-up to this UPR (Rec. 56/18).</p>	<ul style="list-style-type: none"> · Publish an article/media release/hold a press conference on the UPR process and the impact it could have on improving human rights. · Create a UPR Task Force/Steering Committee (with relevant members from government and civil society) to coordinate a plan of action to implement accepted recommendations. · Ensure transparency in the process through publication of progress updates to media and relevant stakeholders. • Draw upon the knowledge and expertise of civil society to support the government in implementing recommendations. 	<ul style="list-style-type: none"> · Civil society is involved at all stages of follow up and implementation of recommendations from the review.

Fiji

Date of 1st Round Review:	19 February 2010 (Seventh meeting of seventh session) ¹⁷³
Head of Delegation:	Peceli Vocea, Permanent Representative of Fiji to the European Union in Brussels ¹⁷⁴
Number of Recommendations:	103 (97 accepted, six rejected)
2nd Round Report Due:	21 July 2014
Date of 2nd Round Review:	20th session (October - November 2014)

The UPR process was coordinated by the Ministry of Foreign Affairs which held consultations with other relevant ministries and national bodies, as well as with a selection of civil society organisations. It was agreed that Fiji was in a period of transition, and it was recognised that the UPR is inherently a consultative process to declare the current state of human rights.¹⁷⁵ In the report of the WG, the government stated that two prominent civil society organisations had refused to participate in the consultation process.¹⁷⁶ Seventeen civil society organisations¹⁷⁷ however submitted stakeholder reports to the HRC as part of the UPR process. Issues raised included freedom of association and expression, the independence of the judiciary and the Fiji Human Rights Commission, Public Emergency Regulations (PER), gender discrimination, treatment of human rights defenders, the right to an adequate standard of health, and access to education.¹⁷⁸

A number of key human rights issues were raised during the interactive dialogue by member states which were also reflected in the recommendations made. These issues included: restoration of democracy; independence of the judiciary and the Fiji Human Rights Commission; freedom of expression, association and movement; gender discrimination; VAW; and the ratification and reporting against international human rights treaties.

Restoration of Democracy

The majority of issues raised during the interactive discussion and in the recommendations were regarding moving towards the restoration of constitutional rule, repealing emergency laws, and holding free and fair elections. Twenty-three states¹⁷⁹ raised issues concerning a return to democratic rule with 23 recommendations being made.¹⁸⁰ During the interactive dialogue the Fiji delegation stated that it was resolved to return to a sustainable parliamentary democracy by September 2014,¹⁸¹ through the Road Map for Democracy and Sustainable Socio-Economic Development 2009-2014.¹⁸²

Independence of the Judiciary and the Fiji Human Rights Commission

Fifteen recommendations were made in relation to ensuring the independence of the judiciary and the compliance of the Fiji Human Rights Commission with the Paris Principles.¹⁸³ In response the government stated that the judiciary is independent and that the Administration of Justice Decree 2009 had laid out the requisite requirements for the appointment of judges, the hierarchy of courts and boundaries for jurisdiction.¹⁸⁴ The government also stated that they had a commitment to ensuring the Fiji Human Rights Commission operates independently and in accordance with the Paris Principles.¹⁸⁵

Freedom of Expression, Association and Movement

A number of issues were discussed during the interactive dialogue and as a part of recommendations including the PER, restrictions on movement and freedom of association, restrictions on the media, and the treatment and detention of human rights defenders. Many of the states discussed the protection of human rights defenders from harassment and intimidation and ensuring the full investigation and prosecution of offenders.¹⁸⁶ Other states requested that the state of emergency and the restrictions on the media be lifted. Twenty-nine recommendations were given on these issues.¹⁸⁷ The government stated that the PER were considered to be temporary, and that once the new Media Decree had been put in place the PER would be lifted.¹⁸⁸

Gender

Five states during the interactive dialogue raised issues of women's rights including gender-based violence against women and girls, and discrimination,¹⁸⁹ however most of these states also commended Fiji for developing a plan of action specifically for women. Four recommendations were subsequently given on combating discrimination against women, the development of legislation on VAW and ensuring effective legal and psychological services for victims.¹⁹⁰ Fiji responded by stating that they have already implemented the Domestic Violence Decree and established Zero-Tolerance Violence-Free communities which are aimed at addressing violence against women and children.¹⁹¹

Ratification and Reporting on International Human Rights Treaties

Of the core human rights treaties, Fiji is a party to the CRC, CEDAW and ICERD.¹⁹² Fiji also signed the CRPD and the OP-CRPD in June 2010. See Annex 2 for a full list of treaties ratified and the status of past and current reports to treaty committees. A number of states urged Fiji to accede to additional human rights treaties.¹⁹³ Eight recommendations were given on the ratification of human rights treaties whilst 10 recommendations were given regarding extending a standing invitation to special procedures and reacting positively to requests from Special Rapporteurs to undertake country visits.¹⁹⁴ In response to questions regarding the ratification of human rights treaties, the delegation stated that assessments were currently being made about the possibility of Fiji ratifying further treaties (including current capacity) however Fiji would need additional assistance from the international community in order to increase capacity to incorporate treaty obligations and report regularly.¹⁹⁵

Country Indicator Table - Fiji

THEMATIC AREA – Justice and Law Reforms		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
Align domestic legislation with international standards (on detention) (Rec. 71/9).	<ul style="list-style-type: none"> Conduct a legislative and policy review/ gap analysis to identify areas that need amendment. Draft amendments in partnership with international/regional organisations. Review the application of policies/practices to identify areas that may need amendment. Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to existing legislation/ policy. Relevant Minister prepares Cabinet memo regarding proposed amendments. Create a select committee to facilitate harmonization of international law with domestic law. 	<ul style="list-style-type: none"> All legislation harmonised with international human rights instruments. Policy changes approved by Cabinet. Amendments to legislation approved by Parliament.
To make every effort to achieve a sustainable return to democracy and constitutional rule at the earliest time possible (Rec. 71/11, 71/18, 71/20), reinstate the judiciary and ensure its independence (Rec. 71/84, 71/85, 71/86, 71/87, 71/88, 71/89, 71/91, 71/92), hold free and fair elections (Rec. 71/22, 71/23, 71/25, 71/26, 71/83, 71/85) repeal the Public Emergency Regulations (Rec. 71/28, 71/29, 71/30, 71/31, 71//33, 71/33, 71/34, 71/35, 71/76), and reinstate the full independence of the Human Rights Commission (Rec. 71/21), which will enable Fiji to fully participate in the international community, including the PIF and the Commonwealth. (Rec. 71/19).	<ul style="list-style-type: none"> Develop a road map for returning to democratic rule. Conduct consultations with communities and civil society on the new Constitution. Set up a review panel to review submissions on the new Constitution. Draft the new Constitution. Create a timeline for free and fair elections. Register voters in a transparent and open manner. Allow independent election officials to monitor elections. Ensure the independence of the Human Rights Commission by reviewing its operations in partnership with regional/ international bodies. Engage in dialogue with the PIF and the Commonwealth to develop a plan for Fiji to fully participate in these organisations. Review all laws which restrict freedom of movement, expression and speech. 	<ul style="list-style-type: none"> Independent judiciary in place. Free and fair elections held and parliament in place.¹⁹⁶ Human Rights Commission fully independent. Constitution in place as the supreme law, in compliance with human rights standards, and developed with full participation from the entire community. All legislation revoked that curtails freedom of association, movement, and speech. Fiji regains membership of the PIF and the Commonwealth. Repeal the Public Emergency Regulations.

<p>To uphold the rule of law, including human rights in domestic law, by immediately reinstating the 1997 Constitution (Rec. 71/12, 71/35, 71/95); ensuring that human rights are afforded full legal and constitutional protection in Fiji (Rec. 71/15, 71/27); and accord the utmost importance, in the formulation of the new Constitution, to the promotion and protection of human rights (Rec. 71/16, 71/32).</p>	<ul style="list-style-type: none"> • Review and revise the Constitution by independent experts, including receiving public submissions (both individual and organisational). • Consult with NGOs and civil society as well as government officials to ensure the full protection of human rights in the Constitution is afforded. • Ensure the Constitution is in line with international legal obligations and human rights standards. 	<ul style="list-style-type: none"> • Full protection of human rights in the Constitution. • Constitution in place as the supreme law in compliance with human rights standards. • Constitution developed with full participation from the entire community.
<p>To request the international community to do its part and show its goodwill by believing in and expressing support for democratic and human rights reform in Fiji (Rec. 71/99) and request aid and assistance from the international community to assist in the democratization process (Rec. 71/100).</p>	<ul style="list-style-type: none"> • # communications/requests sent to regional and international partners to assist in the democratisation process. • Engagement with the regional and international community. • # of full diplomatic missions reinstated. 	<ul style="list-style-type: none"> • Diplomatic relations between regional and international parties and Fiji normalised.
<p>THEMATIC AREA – Thematic Human Rights Issues (Prevention of torture, education, climate change, racism, disability)</p>		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Abolish the application of the death penalty under any circumstances (Rec. 71/57, 71/58, 71/59) including crimes prohibited in the Military Code (Rec. 71/8).</p>	<ul style="list-style-type: none"> • Conduct a legislative and policy review/gap analysis to identify areas that need amendment. • Draft amendments in partnership with international/regional organisations. • Review the application of policies/practices to identify areas that may need amendment. • Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to existing legislation/policy. • Relevant Minister prepares Cabinet memo regarding proposed amendments. 	<ul style="list-style-type: none"> • The death penalty is abolished under all circumstances. • Policy changes approved by Cabinet. • Amendments to legislation approved by Parliament.

<p>To ensure the full enjoyment by all children of the rights recognised in the CRC, particularly with regard to access to education and health services (Rec. 71/10).</p>	<ul style="list-style-type: none"> • Conduct research into the situation of children in Fiji, and the main child rights issues they are facing. • Develop an action plan based on the issues raised with parents, communities, and relevant stakeholders. • Develop a National Children's Policy based on areas of need. • Support the education department to measure and report changes in attendance, drop outs, quality of teaching and infrastructure on a regular basis. • Support communities, parents and children to raise awareness on the importance of education and health care. • Address barriers to children accessing free education and health services. 	<ul style="list-style-type: none"> • Increase in school attendance and reduction in drop outs. • Reduction in infant and child mortality. • National Children's Policy approved by Cabinet. • National Children's Policy fully funded and implemented.
<p>Abolish any policy or decree that restricts the freedom of the media or the rights of freedom of association, expression and movement (Rec. 71/28, 71/34, 71/73, 71/74, 71/76, 71/77), enable the media to operate freely (Rec. 71/78, 71/80, 71/81), as well as ensuring protection from harassment for political activists, human rights defenders and journalists (Rec. 71/33, 71/60, 71/61, 71/82) and ensuring that all crimes against them are fully and independently investigated and prosecuted (Rec. 71/61, 71/62, 71/63, 71/71, 71/93, 71/94); put an end to criminal prosecutions against human rights defenders (Rec. 71/64, 71/65, 71/75, 71/79).</p>	<ul style="list-style-type: none"> • Revoke any policy or decree that restricts the freedom of the media, freedom of association, expression and movement. • # of police and security forces trained on human rights. • Conduct review of police and security forces policies in relation to treatment of detainees. • Prosecute and dismiss police and members of the security forces who are involved in the mistreatment and harassment of human rights defenders. • Education and awareness programs for the public on freedom of expression, information and the press. • Consult with civil society and key stakeholders to support and promote freedom of expression, information and the press. 	<ul style="list-style-type: none"> • Institutional safeguards in place to protect citizens from harsh treatment by police and security forces, particularly human rights defenders.¹⁹⁷ • Treatment of prisoners is in compliance with international standards.¹⁹⁸ • Media can operate freely, and freedom of association, expression and movement is safeguarded. • Develop policies and legislation to safeguard freedom of expression, information and the press (for example FOI legislation). • Human rights incorporated into new police recruits training.

<p>To enhance and, where appropriate, review the implementation of medium- and long-term strategies, including the Strategic Development Plan 2007-2011, the 2020 Plan for Indigenous Fijians, the National Policy for Persons Living with Disabilities 2008-2018 and the national AIDS strategy, inter alia, with a view to achieving further gains in the promotion and protection of human rights in the country (Rec. 71/42).</p>	<ul style="list-style-type: none"> • Commission a team to review the implementation of Fiji's long and medium term strategies to evaluate gains and identify opportunities for growth. • Engage civil society in the review of the strategies and involve them in further implementation of the plans. • Map organisations and groups contributing to Fiji's development strategies and fill any gaps as required to ensure full realisation of development goals. • Conduct awareness raising activities on the content of the strategies to engage and empower communities to be a part of their own development. 	<ul style="list-style-type: none"> • All medium and long term strategies incorporate the protection and promotion of human rights. • Plans and strategies fully funded and implemented. • Human rights principles and practices are embedded in all of Fiji's medium and long term strategies.
<p>To examine the possibility of promoting the adoption of a code of ethics for investors, including in the tax-free zones (Rec. 71/56).</p>	<ul style="list-style-type: none"> • Consult with key stakeholders (government ministries, the private sector etc.) to examine the adoption of a code of ethics for investors. • Develop a draft paper on a code of ethics for investors. 	<ul style="list-style-type: none"> • Options on the possibility of adopting a code of ethics for investors explored.
<p>To take further measures to prevent and combat the sexual exploitation of children (Rec. 71/68, 71/69).</p>	<ul style="list-style-type: none"> • Draft specific laws to protect children from exploitation in partnership with international/ regional organisations. • Review the application of policies/practices to identify areas that may need to be amended or drafted. • Conduct consultations with relevant stakeholders (including relevant ministries) to discuss drafting legislation/policy. • Relevant Minister prepares Cabinet memo regarding proposed legislation. • Develop awareness materials on the sexual exploitation of children, including prevention. • Inclusion of commercial sexual exploitation of children (CSEC) information into police training and law reform materials. • Educate police and law enforcement officials on child rights and CSEC. • Consult with civil society to ensure services are available to child victims and fill gaps as required. 	<ul style="list-style-type: none"> • Perpetrators of sexual exploitation of children prosecuted. • Services available for child victims. • Legislation approved by Parliament. • Programs on CSEC are fully funded and implemented.

<p>To intensify its development programs focusing on alleviating poverty and ensuring adequate standards of life for Fijians, while seeking technical and financial assistance, whenever needed, from the relevant United Nations bodies (Rec. 71/96, 71/101).</p>	<ul style="list-style-type: none"> · Encourage ownership of services by the community through ongoing community engagement, for example in the maintenance and upkeep of health posts, schools etc. · Monitor and evaluate implementation of development policies in consultation with relevant stakeholders. · # communications/requests for financial and technical assistance from the relevant UN bodies and regional/international organisations. 	<ul style="list-style-type: none"> · Invest resources in essential services for those in both urban and rural areas, including provision of infrastructure. · Invest in training of quality personnel and provide incentives to work in essential services. · Improvements in essential services for those living in both urban and rural areas. · Improvements in key development indicators.
<p>To restore the right to receive pensions for those deprived of it merely because they had expressed an opinion against the government (Rec. 71/97).</p>	<ul style="list-style-type: none"> · Consultations on the <i>Pensions and Retirement Allowances Decree 2009</i> held. · Revoke the <i>Pensions and Retirement Allowances Decree 2009</i> to ensure pensioners have the right to receive their pension. 	<ul style="list-style-type: none"> · All pensioners are receiving the pension they are entitled to.
<p>To seek the assistance of the international community in adapting to climate change and developing its capacities to address the adverse effects of climate change on the enjoyment by its citizens of their human rights (Rec. 71/103).</p>	<ul style="list-style-type: none"> · Involve communities and officials in climate change planning and advocacy. · # of climate change related international meetings attended and contributed to. · Prepare national climate change and sustainable development policies. · Correspondence and discussions with parties to the UN Framework Convention on Climate Change. 	<ul style="list-style-type: none"> · Regular engagement with the international community on climate change, including promotion of international cooperation. · Participated fully in HRC discussions on human rights and climate change. · Other parties to the UN Framework Convention on Climate Change lobbied to reach a global agreement on climate change. · Adopt a rights based approach to tackling the effects of climate change. · Number of fully funded projects implemented on climate change.

THEMATIC AREA – National and Regional Human Rights Institutions		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>To adhere to the Paris Principles, which address the status and the functioning of national institutions for the protection and promotion of human rights, by ensuring the independence of Fiji's Human Rights Commission (Rec. 71/37, 71/38, 71/39, 71/40); and to seek the support and technical assistance of OHCHR to ensure effective compliance by the Fiji Human Rights Commission with the Paris Principles (Rec. 71/98).</p>	<ul style="list-style-type: none"> Support the Fiji Human Rights Commission to fund its human rights education program. # communications/requests sent to regional/international bodies to assist the Fiji Human Rights Commission. 	<ul style="list-style-type: none"> Paris Principles are adhered to in the operations of the Fiji Human Rights Commission.¹⁹⁹ The Fiji Human Rights Commission acts independently. Members of the Fiji Human Rights Commission made up of a cross section of individuals from government, universities, parliament and civil society involved in the promotion and protection of human rights. Ensure Human Rights Commissioners are selected independently.
THEMATIC AREA – Gender Equality		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>To enhance measures to combat discrimination against women in all sectors of society (Rec. 71/55) and address the issue of violence against women (Rec. 71/56); including the adoption of proposed laws on domestic violence and sexual offences, thereby prohibiting practices that legalize violence against women (Rec. 71/66).</p>	<ul style="list-style-type: none"> Draft national policy on women's equality and elimination of VAW with the participation of all relevant stakeholders. Conduct human rights education workshops on VAW for civil servants, including police, legal service agencies and communities. Hold consultations with relevant stakeholders (including relevant ministries) on the development of VAW legislation. Draft legislation in partnership with international/regional organisations. Review the application of policies/practices/ other legislation to identify areas that may need amendment with the introduction of VAW legislation. Relevant Minister prepares Cabinet memo regarding proposed VAW legislation. 	<ul style="list-style-type: none"> Strategy for reduction of VAW in Fiji developed, implemented, fully resourced and funded. Legislation and policies on VAW enacted, with full resources and funding. New policies, and changes to existing policies approved by Cabinet. VAW legislation and amendments to existing legislation approved by Parliament.

<p>To take appropriate measures to provide free legal and psychological assistance to victims of domestic and sexual violence (Rec. 71/67).</p>	<ul style="list-style-type: none"> • Support existing service providers to continue to provide free assistance to survivors of violence. • Consider the provision of national government services for survivors of violence, for example free legal advice. • Fund the provision of services for survivors of violence, and incorporate into multi-year planning and budgeting. • Support education services to provide increased scholarships for people wanting to study social work/psychology/counselling 	<ul style="list-style-type: none"> • Free legal and psychological assistance is provided to survivors of violence.
THEMATIC AREA – Promotion and protection of human rights, education, and public awareness		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>To integrate the component of human rights education and training into its education system (Rec. 71/43).</p>	<ul style="list-style-type: none"> • Together with relevant stakeholders (including government ministries) set up a task force to facilitate the provision of national human rights education. • Draft human rights education curriculum in consultation with relevant regional/ international partners. • Train teachers on the curriculum and human rights more broadly. • Pilot the program in a limited number of schools and revise as required. 	<ul style="list-style-type: none"> • Human rights education institutionalised, with relevant curriculum in place. • Ongoing budget allocated for human rights education.
<p>To engage partners at the national, regional and international levels in efforts to build the human rights capacities of government personnel, particularly judicial and law enforcement personnel (Rec. 71/102); and provide its police force with training to ensure respect for the right to freedom of religion (Rec. 71/72).</p>	<ul style="list-style-type: none"> • # of police, law enforcement officials, staff of government ministries and other relevant stakeholders trained in human rights. • # of human rights focused NGOs freely advocating on contentious human rights issues. • WG established on the promotion and protection of human rights. • Support human rights programs of civil society/NGOs. 	<ul style="list-style-type: none"> • Human rights education institutionalised, with relevant curriculum in place. • Ongoing budget allocated for human rights education. • Take measures to mainstream human rights into public education (including education and training of health workers, teachers, public officials, lawyers, justice officials etc.).

THEMATIC AREA – Treaty ratifications, treaty reporting and overall work with human rights mechanisms		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
Consider ratification of core international human rights treaties and optional protocols (ICCPR, ICCPR-OP 1 and ICCPR-OP 2, ICESCR, OP-ICESCR, CAT, OP-CAT, CPRD, OP-CPRD, OP-CEDAW, OP-CRC-AC and OP-CRC-SC, ICCPED) (Rec. 71/1, 71/2, 71/3, 71/4, 71/5, 71/6, 71/7, 71/8, 71/9).	<ul style="list-style-type: none"> • Create a timeline regarding treaty ratification. • # requests/correspondence/communication to OHCHR to assist the government to ratify international instruments. • Draft a cabinet paper on ratification of international treaties and the implications for national policy and legislation. • Parliamentary debates on the ratification of international instruments. • Conduct consultations with relevant stakeholders (including relevant ministries) on plans to sign and ratify international treaties and to discuss impacts. • Conduct human rights training for police, law enforcement officials, staff of government ministries and other relevant stakeholders on the impacts of treaty domestication. 	<ul style="list-style-type: none"> • International treaties and protocols signed and ratified by the government.
Submit overdue reports in a timely manner (Rec. 71/6).	<ul style="list-style-type: none"> • Create a National Human Rights Coordination Group (made up of government and civil society) to coordinate all human rights treaty reporting. • Consider developing a common core document for all treaty reporting. • Consult with relevant stakeholders about the status of human rights in Fiji. • # requests/correspondence to OHCHR and treaty bodies regarding assistance with treaty reporting. 	<ul style="list-style-type: none"> • All reporting obligations to international treaties met. • # of stakeholder reports submitted through the treaty reporting process. • Common core document developed and used for treaty reporting. • Creation of a National Human Rights Coordination Group including a government/civil service position to coordinate issues related to human rights (including reporting), which is fully funded and resourced.

<p>Cooperate fully with UN human rights mechanisms (Rec. 71/44); consider extending a standing invitation to all special procedures of the Human Rights Council (Rec. 71/45, 71/46); and respond positively to requests for visits made by special procedures/rapporteurs. (Rec. 71/47, 71/48, 71/49, 71/50, 71/51, 71/52, 71/53, 71/54).</p>	<ul style="list-style-type: none"> · Consult with relevant stakeholders (including relevant ministries) about extending a standing invitation to all human rights special procedures, and the consequences (e.g. financial). · Provide information to the public about human rights special procedures. 	<ul style="list-style-type: none"> · Standing invitation extended to all human rights special procedures.
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Kiribati

Date of 1st Round Review:	3 May 2010 (Second meeting of eighth session) ²⁰⁰
Head of Delegation:	Honourable Kouraiti Beniato (Minister for Internal and Social Affairs) ²⁰¹
Number of Recommendations:	83 (42 accepted, 11 rejected, 30 noted)
2nd Round Report Due:	27 October 2014
Date of 2nd Round Review:	21st session (January – February 2015)

Kiribati was commended for its consultation with civil society stakeholders in the production of the national report²⁰² and the internal task force within the Ministry of Internal and Social Affairs which was charged with the responsibility of coordinating consultations and drafting the report.²⁰³ RRRT and OHCHR conducted training on the UPR process in September 2009 which lay the groundwork for the writing of the national report.²⁰⁴ Eight stakeholders²⁰⁵ submitted stakeholder reports to the HRC with gender equality and VAW, access to free education, children's rights and the establishment of a human rights institution, the main human rights issues raised.²⁰⁶

Five prominent human rights themes arose during Kiribati's review. These were the ratification of international human rights instruments; the creation of a human rights institution; discrimination against women and VAW; the rights of children; and lastly concerns around climate change and its impact on human rights. Rejected recommendations followed the theme of a lack of capacity and resources to fulfil the recommendations at that time.

Ratification and Reporting on International Human Rights Instruments

States commended Kiribati on the ratification of the CRC and the CEDAW but urged further ratification of the remaining international human rights instruments.²⁰⁷ Recommendations were also made on the need to incorporate the provisions of ratified instruments into domestic legislation.²⁰⁸ A lack of financial and human resources was noted by the delegation as an obstacle to the effective ratification of and reporting on these instruments, but willingness to progress ratification was indicated if supported with resources from the international community.²⁰⁹ Kiribati also responded that it would need to assess the costs, benefits and obligations associated with acceding to such treaties and at the time of the review, the government had submitted a list of those conventions to the cabinet for its consideration.²¹⁰

Establishment of a Human Rights Institution

A number of member states also raised the issue of the absence of a NHRI to help promote and protect human rights in Kiribati, however was nevertheless commended on its willingness to establish an institution.²¹¹ While seven member states made formal recommendations²¹² for Kiribati to establish a national human rights institution, these recommendations were rejected in favour of their support for a regional human rights institution, primarily because of the resource and capacity constraints the country faces.²¹³

Gender Equality

While Kiribati was complemented on its capacity building of police and the formation of the National Action Plan to eliminate gender-based violence,²¹⁴ many member states expressed concern at the entrenched discrimination against women in the country and the pervasiveness of VAW. The delegation acknowledged the high rates of discrimination and confirmed that it was progressing on specific legislation to address domestic violence.²¹⁵ Efforts to align national legislation with CEDAW were also noted.²¹⁶

Children

Violence against children and sexual violence in particular were raised by a number of member states during the review. In relation to this, member states raised concerns at the sexual exploitation of children in response to reports by UNICEF and others in the NGO community.²¹⁷ Corporal punishment in the home was a further issue that was raised²¹⁸ and in relation to these issues the delegation responded that they had begun the legislative reform required in order to comply with the CRC.²¹⁹

Environment

Climate change was recognised during the review as an issue with serious human rights implications, including the detrimental impact on the right to a clean environment, clean water, and livelihood security.²²⁰ Kiribati was commended on its prioritising of the issue and its efforts to combat the effects of climate change.²²¹ The WG recognised that a lack of capacity and resources exacerbated these issues and noted as part of its immediate and midterm strategy, that there needed to be ‘an assessment of the level of coastline erosion to protect it from further degradation.’²²²

Country Indicator Table - Kiribati

THEMATIC AREA – Justice and Law Reforms		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
Incorporate into domestic legislation the treaties that Kiribati has ratified (Rec. 66/10, 66/11, 66/14); and ensure that human rights are afforded full legal protection (Rec. 66/16).	<ul style="list-style-type: none"> Conduct a legislative and policy review/ gap analysis to identify areas that need amendment. Draft amendments in partnership with international/regional organisations. Review the application of policies/practices to identify areas that may need amendment. Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to existing legislation/ policy. Relevant Minister prepares Cabinet memo regarding proposed amendments. Create a select committee to facilitate harmonization of international law with domestic law. 	<ul style="list-style-type: none"> All legislation harmonised with international human rights instruments. All discriminatory provisions in legislation eliminated. Policy changes approved by Cabinet. Amendments to legislation approved by Parliament.
Implement outstanding legislative reforms, and review/amend the 1977 Penal Code to prevent violence against children, child abuse, exploitation, abduction, corporal punishment, child pornography and sales, and trafficking in accordance with its obligations under the CRC (Rec. 66/61, 66/19, 66/20, ²²³ 66/21, ²²⁴ Rec. 66/65 ²²⁵).	<ul style="list-style-type: none"> Conduct a legislative and policy review/ gap analysis to identify areas that need amendment. Draft amendments in partnership with international/regional organisations. Draft specific legislation and policies on child protection in consultation with key stakeholders. Review the application of policies/practices to identify areas that may need amendment. Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to existing legislation/ policy. Relevant Minister prepares Cabinet memo regarding proposed amendments. Create a select committee to facilitate harmonization of international law with domestic law. 	<ul style="list-style-type: none"> All legislation harmonised with the CRC. Policy changes approved by Cabinet. Amendments to legislation approved by Parliament.

<p>Review its legislation to ensure that restrictions on the freedom of expression do not go beyond those permitted by the ICCPR, even though Kiribati has not yet ratified it (Rec. 66/22).²²⁶</p>	<ul style="list-style-type: none"> • Review legislation on the freedom of expression in line with the ICCPR. • Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to existing legislation/policy. • Draft amendments in partnership with international/regional organisations. • Relevant Minister prepares Cabinet memo regarding proposed amendments. • Develop a timeline for the ratification of the ICCPR. 	<ul style="list-style-type: none"> • Freedom of expression protected in national legislation and policy, in line with ICCPR. • Policy changes approved by Cabinet. • Amendments to legislation approved by Parliament.
<p>Amend its Constitution so as to expand the prohibited grounds of discrimination to include not only gender, but also sexual orientation, disability, health status and economic status (Rec. 66/41).²²⁷</p>	<ul style="list-style-type: none"> • Conduct a review/gap analysis to identify areas that need amendment. • Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to the Constitution. 	<ul style="list-style-type: none"> • Constitution amended to prohibit discrimination on the grounds of sexual orientation, disability, health status and economic status. • Amendments to the Constitution approved by Parliament.
<p>THEMATIC AREA – Thematic Human Rights Issues (Prevention of torture, education, climate change, racism, disability)</p>		
<p>Recommendation</p>	<p>Sample Progress Indicators</p>	<p>Sample Compliance Indicators</p>
<p>Decriminalize homosexuality by abrogating the legal provision that currently penalizes sexual relations with persons of the same sex, and sign the joint statement made in the General Assembly in December 2008 on human rights, sexual orientation and gender identity (Rec. 66/23).</p>	<ul style="list-style-type: none"> • Review existing legislation and policy with relevant stakeholders to examine the possibility of repealing discriminatory provisions against sexual relations between consenting adults of the same sex. • Conduct consultations with relevant stakeholders (including relevant members of civil society) to discuss amending legislation/policy. • Relevant Minister prepares Cabinet memo regarding amendments to legislation. • Review and consider signing the joint statement made in the General Assembly in December 2008 on human rights, sexual orientation and gender identity. 	<ul style="list-style-type: none"> • Sexual relations between consenting adults of the same sex decriminalised. • Joint statement made in the General Assembly in December 2008 on human rights, sexual orientation and gender identity signed by Kiribati.

<p>Accelerate, as appropriate, the pursuit of the worthy objectives set out in the National Development Plan 2008–2011 (Rec. 66/32).</p>	<ul style="list-style-type: none"> • Monitor implementation and progress against the National Development Plan 2008-2011. • Begin the consultation process to develop the subsequent National Development Plan post 2011 with government and civil society representatives. • Draft National Development Plan post 2011. 	<ul style="list-style-type: none"> • Achievement of objectives set out in the National Development Plan. • New National Development Plan developed.
<p>Extend government funding to schools for persons with disabilities (Rec. 66/33); and proceed with national plans of action on disabilities (Rec. 66/59).</p>	<ul style="list-style-type: none"> • Review existing development plans and programs and ensure disability is incorporated. • Support the work of organisations working with persons with disabilities and ensure their ongoing operation. • Draft a National Policy and Plan of Action on Disability and ensure it is clear and affordable. • Establish a National Disabilities Taskforce, and regularly monitor its progress in implementing the National Policy. • Engage with civil society organisations working on disability and map services and gaps to identify strategic areas where government can assist. • Consult with persons with disabilities, civil society and relevant ministries about the ratification of CRPD and the implications for national legislation, policy and program implementation. • Develop a specific policy and action plan on access to education for children with disabilities and assess the need for additional schools and services for children with disabilities. 	<ul style="list-style-type: none"> • National Policy and Plan of Action on Disability implemented, fully funded and resourced. • Schools for persons with disabilities fully funded, resourced and operational.

<p>Establish a comprehensive child labour policy (Rec. 66/34);²²⁸ and adopt policies and measures to combat child labour and the commercial exploitation of children, in accordance with the recommendations made by the Committee on the Rights of the Child (Rec. 66/71).</p>	<ul style="list-style-type: none"> • Draft specific laws and policies to protect children from exploitation in partnership with international/regional organisations. • Review the application of policies/practices to identify areas that may need to be included. • Conduct consultations with relevant stakeholders (including relevant ministries) to discuss drafting legislation/policy. • Relevant Minister prepares Cabinet memo regarding proposed legislation. • Educate police and law enforcement officials on child rights. • Consult with civil society to ensure services are available to child victims and fill gaps as required. 	<ul style="list-style-type: none"> • Child labour policy and legislation enacted by Parliament in line with the CRC. • Perpetrators of child labour practices prosecuted. • Services available for child victims.
<p>Take all measures necessary to address all forms of discrimination, including social discrimination and discrimination against children with disabilities in remote areas (Rec. 66/51) and eliminate all forms of de facto discrimination against children belonging to economically disadvantaged families (Rec. 66/54).²²⁹</p>	<ul style="list-style-type: none"> • Amend existing legislation and policies to ensure all discriminatory provisions are removed. • Provide community education programs on human rights and non-discrimination through existing service providers. 	<ul style="list-style-type: none"> • All discriminatory provisions in policy and legislation removed. • Community awareness on human rights and non-discrimination conducted.

<p>Prohibit the corporal punishment of children at home, at school, in penal institutions, in alternative-care settings and as a traditional form of sentencing (Rec. 66/66, 66/67).²³⁰</p>	<ul style="list-style-type: none"> • Conduct review of all relevant policy and legislation and ensure provisions exist which outlaw corporal punishment in both public and private. • Draft amendments in partnership with international/regional organisations. • Review the application of policies/practices to identify areas that may need amendment. • Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to existing legislation/policy. • Relevant Minister prepares Cabinet memo regarding proposed amendments. • Ensure comprehensive awareness raising of the prohibition of all corporal punishment and other inhuman or degrading treatment and humiliation of children. • Ensure comprehensive awareness raising of children's rights amongst communities, families, police, government officials and legal professionals. 	<ul style="list-style-type: none"> • Ban enforced on corporal punishment in public institutions and in private. • Decrease in incidents of corporal punishment in public and private. • Policy changes approved by Cabinet. • Amendments in legislation approved by Parliament.
<p>Enhance the enjoyment of the right to education for all, particularly for girls (Rec. 66/68, 66/75) and allocate the necessary budget to ensure free, quality primary education in all regions with trained teachers and improvements to infrastructure (Rec. 66/76, 66/77, 66/78).</p>	<ul style="list-style-type: none"> • Conduct research into the situation of children in Kiribati, including why children (especially the girl child) are not accessing education. • Support school infrastructure projects, and encourage local ownership and responsibility for school infrastructure. • Support the education department to measure and report changes in attendance, drop outs, quality of teaching and infrastructure on a regular basis. • Support communities, parents and children to raise awareness on the importance of education. • Address barriers to children accessing free education. • Address reasons why children are dropping out of school, especially the girl child. 	<ul style="list-style-type: none"> • Reduction in barriers to children (particularly girls) accessing and attending education. • Increase in school attendance and reduction in drop outs. • Increased quality of education provision and infrastructure. • Increase funding and incentives for teachers and their ongoing training.

<p>Ensure the full implementation of juvenile justice standards (Rec. 66/69).</p>	<ul style="list-style-type: none"> • Review and reform where necessary the provision of juvenile justice in Kiribati. • Create a task force to report on the current state of the juvenile justice system, and provide recommendations for action. • Request assistance from regional/international partners to fund a separate juvenile facility to ensure juveniles are not detained with adults. • Continue the implementation of training for police and magistrates on juvenile justice. 	<ul style="list-style-type: none"> • Juvenile justice is implemented in line with the CRC and international standards.²³¹
<p>Cease immediately the practice of not segregating women, children and men in prison facilities (Rec. 66/70).²³²</p>	<ul style="list-style-type: none"> • Request assistance from regional/international partners to fund a separate female and juvenile facility to ensure women and children are not detained with men. • Explore other funding options to build a separate facility. 	<ul style="list-style-type: none"> • Female, juvenile and male detainees are segregated in prison facilities. • International standards on juvenile justice adhered to.²³³
<p>Continue to implement programmes aimed at ensuring that all its people have free quality health and education services (Rec. 66/72); and combat the spread of HIV and AIDS (Rec. 66/73, 66/74).</p>	<ul style="list-style-type: none"> • Encourage ownership of services by the community through ongoing community engagement, for example in the maintenance and upkeep of health posts, schools etc. • Collaborate with civil society to ensure adequate HIV testing facilities, particularly in rural and remote areas, as well as awareness raising, health promotion, and adequate access to treatment. • Ensure prevention messages are reaching communities and that they have the adequate resources to protect themselves from HIV. 	<ul style="list-style-type: none"> • Improvements in essential services for those living in both urban and rural areas. • Accurate data collected on the rate of HIV across the country. • People living with HIV and AIDS have access to quality care and treatment. • Invest resources in essential services for those in both urban and rural areas, including provision of infrastructure. • Invest in training of quality personnel and provide incentives to work in essential services. • Increase investment in clinical services to diagnose and treat HIV and AIDS.

<p>Redouble efforts and pursue activities aimed at ensuring respect for environmental legislation (Rec. 66/80); and study the possibility of developing a national environmental charter or a similar instrument to define the role and responsibilities of, as well as the coordination of action by, all relevant parties, including civil society (Rec. 66/81).</p>	<ul style="list-style-type: none"> • Conduct awareness raising sessions with communities and stakeholders on the environment, including respect for environmental legislation. • With key stakeholders, scope the possibility of developing a national environmental charter. • Set up an environmental management committee made up of relevant government ministries and members of civil society. • Draft a national environment charter with relevant roles and responsibilities for key stakeholders as well as penalties for non-compliance. 	<ul style="list-style-type: none"> • Environmental legislation in place and enforced. • National environmental charter developed and implemented.
<p>Actively pursue international cooperation aimed at adapting to the adverse effects of climate change (Rec. 66/82).</p>	<ul style="list-style-type: none"> • # of climate change related international meetings attended and contributed to. • Prepare national climate change and sustainable development policies. • Correspondence and discussions with parties to the UN Framework Convention on Climate Change. 	<ul style="list-style-type: none"> • Regular engagement with the international community on climate change, including promotion of international cooperation. • Participated fully in HRC discussions on human rights and climate change. • Other parties to the UN Framework Convention on Climate Change lobbied to reach a global agreement on climate change. • Adopt a rights based approach to tackling the effects of climate change.

<p>Take further action to ensure that children who have been subjected to sexual exploitation are treated as victims and that the perpetrators are brought to justice (Rec. 66/62, 66/68); establish an effective mechanism for receiving, monitoring and investigating reports of child abuse and neglect (Rec. 66/64) as well as reintegration and rehabilitation (Rec. 66/63).²³⁴</p>	<ul style="list-style-type: none"> • Educate magistrates, lawyers, police and law enforcement agencies on child rights and how to approach and support child victims. • Develop policies on the treatment of child victims including the provision of support services which adhere to minimum operating standards. • With relevant government ministries, develop policies and practices which create clear reporting, monitoring and investigating procedures which protect children. • Disseminate reporting mechanisms to communities and civil society to encourage reporting of cases. • Provide or request assistance to train locally based social workers and health workers to deliver quality services. • Review rehabilitation and reintegration service provision and fill gaps as required. 	<ul style="list-style-type: none"> • All reports of child abuse and sexual exploitation are monitored and investigated by the relevant agency. • Perpetrators of abuse are prosecuted. • Social services are adequately funded to investigate and monitor cases of abuse.
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THEMATIC AREA – National and Regional Human Rights Institutions

Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Consider, with the support of the international community and UN specialised agencies, the establishment of a national human rights institution (Rec. 66/27, 66/28).²³⁵</p>	<ul style="list-style-type: none"> • Conduct/attend consultations of relevant stakeholders on what regional and national human rights mechanisms are, the benefits and challenges, and the impacts of establishing one. • # communications/requests sent to regional/international bodies to help with establishment. • Draft a policy paper on the creation of a national or regional human rights institution. • Establish a timeline and pathway for establishment. • Create a select committee/WG to facilitate establishment. • Support PIFS Working Group on a Regional Human Rights Mechanism. 	<ul style="list-style-type: none"> • National/ regional human rights institution established in accordance with the Paris Principles.²³⁶ • Enact legislation to create a national human rights institution or support the establishment of a regional body.

THEMATIC AREA – Gender Equality		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Guarantee that its laws and policies are in conformity with the CEDAW, and take measures to combat practices that perpetuate discrimination against women and their marginalisation, particularly with regard to their inheritance and citizenship, and adopt specific legislation properly penalising domestic violence (Rec. 66/12, 66/42, 66/43, 66/44, 66/45, 66/50, 66/52).²³⁷</p> <p>Take the measures necessary to bring its national legislations into conformity with its international obligations under the CEDAW (Rec. 66/14); enact appropriate legislation and national action plans that address gender equality and violence against women (Rec. 66/17, 66/55, 66/59, 66/46, 66/47), criminalise sexual harassment (Rec. 66/56) and ensure that it is properly enforced through, for example, increased police capacity building and the appointment of female officers (Rec. 66/57, 66/60).</p>	<ul style="list-style-type: none"> • Draft national policy on women’s equality and elimination of VAW. • Conduct human rights education workshops on VAW for civil servants, including police, legal service agencies and communities. • Hold consultations with relevant stakeholders (including relevant ministries) on the development of VAW legislation, and amendments to existing legislation. • Draft/amend legislation in partnership with international/regional organisations. • Review the application of policies/practices to identify areas that may need amendment with the introduction of VAW legislation. • Relevant Minister prepares Cabinet memo regarding proposed VAW legislation/ amendment to existing legislation. • Implementation of mechanisms to support gender equality – i.e. gender responsive budgeting, temporary special measures. • Conduct consultations with specific gender related stakeholders. • Conduct scoping/surveys to gather information and statistics on women’s human rights issues (VAW, women in parliament, girls in school etc.). • Develop and implement awareness raising programs targeted at recruiting females into the police force. 	<ul style="list-style-type: none"> • All existing legislation compliant with CEDAW.²³⁸ • Strategy for reduction of VAW in Kiribati developed, implemented and fully funded. • Legislation and policies on VAW enacted. • Amendments to the Constitution approved by Parliament. • Increase in the number of female police officers.

<p>Ensure equal participation for women in all decision-making positions in all areas of public administration (Rec. 66/48, 66/49, 66/12²³⁹).</p>	<ul style="list-style-type: none"> • Examine barriers to women being represented in decision-making, and develop a strategy to address these barriers. • Support women in leadership programs and initiatives. • Review equal opportunity provisions in policies and legislation and examine whether temporary special measures or quotas need to be adopted. • Develop an action plan for the implementation of temporary special measures. • Engage and consult with women's groups on promoting women's empowerment in all levels of society. 	<ul style="list-style-type: none"> • Adoption of relevant temporary special measures in policy and legislation. • Increase in the number of women in leadership positions.
<p>Expand its definition of the concept of rape in such a way as to clearly prohibit sexual harassment, and also define domestic violence in its criminal law (Rec. 66/18).²⁴⁰</p>	<ul style="list-style-type: none"> • Review the <i>Penal Code</i> to expand the definition of rape and clearly define domestic violence. • Conduct consultations and accept submissions on amendments to the <i>Penal Code</i>. • Draft amendments in partnership with international/regional organisations. • Review the application of policies/practices to identify areas that may need amendment. • Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to existing legislation/policy. • Relevant Minister prepares Cabinet memo regarding proposed amendments. 	<ul style="list-style-type: none"> • Definition of rape expanded to prohibit sexual harassment. • Domestic violence defined and an offence in relevant legislation. • Policy changes approved by Cabinet. • Amendments to legislation approved by Parliament.
<p>Intensify its efforts to include sex and gender as prohibited grounds of discrimination in the Constitution (Rec. 66/38, Rec. 66/39, Rec. 66/40, Rec. 66/41, Rec. 66/42, Rec. 66/45).²⁴¹</p>	<ul style="list-style-type: none"> • Conduct a review/gap analysis to identify areas that need amendment. • Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to the Constitution. 	<ul style="list-style-type: none"> • Constitution amended to prohibit discrimination on the grounds of sex/gender. • Amendments to the Constitution approved by Parliament.

<p>Ensure that all girls and women are accepted as students, independent of their status as engaged, married or pregnant (Rec. 66/53).²⁴²</p>	<ul style="list-style-type: none"> Review policies which prevent some girls and women being accepted as students. Draft amendments to policies to allow girls and women to be accepted as students regardless of their relationship status. Educate and disseminate information on the change in policy to encourage women into education. 	<ul style="list-style-type: none"> All girls have access to education, regardless of their relationship status.
<p>Make available better support networks to protect women victims (Rec. 66/58).</p>	<ul style="list-style-type: none"> Review existing service providers and map out services in Tarawa and the outer islands. Identify and fill gaps as required. Provide/request further education and training to service providers to ensure quality services are provided. Budget and plan for additional services as required. Explore community based options for survivors of violence including traditional support networks. 	<ul style="list-style-type: none"> Increase in support networks for survivors of violence.

THEMATIC AREA – Promotion and protection of human rights, education, and public awareness

Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Institute mechanisms for the effective guarantee of the human rights of all its citizens, including awareness-raising activities (Rec. 66/30) through the media and educational means, of the value of human rights and respect for human rights, as well as violence against women (Rec. 66/31); and consider developing human rights education and training programmes in the context of upgrading its national education system (Rec. 66/79).</p>	<ul style="list-style-type: none"> # of village/community leaders and other community members trained in human rights, including international human rights standards, non-discrimination and gender. Support human rights programs of civil society/NGOs. Promote and develop awareness campaigns on citizen's rights, and access to the formal justice system, as well as information on redress mechanisms. # of police, law enforcement officials, staff of government ministries and other relevant stakeholders trained in human rights. WG established on the promotion and protection of human rights. 	<ul style="list-style-type: none"> Human rights education institutionalised, with relevant curriculum in place. Ongoing budget allocated for human rights education. Take measures to mainstream human rights into public education (including education and training of health workers, teachers, public officials, lawyers, justice officials etc.).

THEMATIC AREA – Treaty ratifications, treaty reporting and overall work with human rights mechanisms		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Make a long-term plan for the step-by-step ratification of or accession to all core international human rights instruments (Rec. 66/2); and establish a committee to study human rights conventions in order to pave the way for accession to such conventions (Rec. 66.1); and consider the possibility of ratifying other core human rights instruments (Rec. 66/3).²⁴³</p>	<ul style="list-style-type: none"> • Create a timeline regarding treaty ratification. • # requests/correspondence/communication to OHCHR to assist the government to ratify international instruments. • Draft a cabinet paper on ratification of international instruments and the implications for national policy and legislation. • Parliamentary debates on the ratification of international instruments. • Conduct consultations of relevant stakeholders (including relevant ministries) on plans to sign and ratify international treaties and to discuss impacts. • Conduct human rights training for police, law enforcement officials, staff of government ministries and other relevant stakeholders on the impacts of treaty domestication. 	<ul style="list-style-type: none"> • International treaties and protocols signed and ratified by the government.
<p>Urgently strengthen its commitment to the international human rights system in order to receive specialised help, through the extension of a standing invitation to all special procedures (Rec. 66/35, Rec. 66/36, Rec. 66/37).²⁴⁴</p>	<ul style="list-style-type: none"> • Consult with relevant stakeholders (including relevant ministries) about extending a standing invitation to all human rights special procedures, and the consequences (e.g. financial). • Provide information to the public about human rights special procedures. 	<ul style="list-style-type: none"> • Standing invitation extended to all human rights special procedures.
<p>Involve civil society, including human rights non-government organisations, in the follow-up to this review, especially in addressing gender discrimination and domestic violence (Rec. 66/83).</p>	<ul style="list-style-type: none"> • Publish an article/media release/hold a press conference on the UPR process and the impact it could have on improving human rights. • Create a UPR Task Force/Steering Committee (with relevant members from government and civil society) to coordinate a plan of action to implement accepted recommendations. • Ensure transparency in the process through publication of progress updates to media and relevant stakeholders. • Draw upon the knowledge and expertise of civil society to support the government in implementing recommendations. 	<ul style="list-style-type: none"> • Civil society is involved at all stages of follow up and implementation of recommendations from the review.

Republic of the Marshall Islands

Date of 1st Round Review:	5 November 2010 (Tenth meeting of ninth session) ²⁴⁵
Head of Delegation:	Hon. Mr. John M. Silk (Minister for Foreign Affairs) ²⁴⁶
Number of Recommendations:	38 (35 accepted, three noted)
2nd Round Report Due:	20 July 2015
Date of 2nd Round Review:	23rd session (October-November 2015)

The national report for the RMI was compiled by the Resource Development Committee that was established by the cabinet of RMI in 2009.²⁴⁷ The Resource Development Committee was made up of a broad spectrum of representatives from government, NGOs and international organisations.²⁴⁸ Consultations were made in various urban centres but there were obstacles in accessing the outer atolls due to geographic and financial constraints.²⁴⁹ A national consultation/workshop was facilitated by RRRT which enabled the collection of information from a range of stakeholders and assisted stakeholders to complete reporting obligations.²⁵⁰ Six stakeholders²⁵¹ submitted stakeholder reports to the HRC as part of the UPR process. Their combined report focused on the establishment of a NHRI, gender equality, VAW, health service provision, education, children's rights and issues affecting people living with disabilities.²⁵²

A number of key human rights issues were raised during the interactive dialogue by member states which were also reflected in the recommendations made. These issues included: disability, gender equality and VAW, children's rights, the ratification and reporting against international human rights treaties, and the environment.

Ratification and Reporting on International Human Rights Treaties

Of the core international human rights treaties, RMI is a state party to the CEDAW and the CRC.²⁵³ See Annex 2 for a full list of treaties ratified and the status of past and current reports to treaty committees. Eight states²⁵⁴ discussed the ratification and reporting against human rights treaties during the interactive discussion, with nine recommendations being given.²⁵⁵ All of the recommendations regarding ratification of human rights treaties were accepted by the government however it was stated that implementation of international obligations in the area of human rights would take some time and require additional resources.²⁵⁶

Gender

Issues surrounding the rights of women were the most prominent during the interactive dialogue, with 13 states discussing the participation of women in decision making positions, discrimination in legislation, policy and practice, VAW, and support to survivors of violence.²⁵⁷ Eight recommendations²⁵⁸ were given on the development of legislation, national strategies and policies on VAW and gender equality, as well as ensuring equal pay for equal work.

Children

A number of issues related to children's rights were raised both in the interactive dialogue and as part of recommendations. They included child abuse and neglect, corporal punishment, birth registration, and child labour. Six states²⁵⁹ discussed issues of children's rights with 10 recommendations being made.²⁶⁰ The majority of the recommendations were regarding the protection of children from violence and abuse, and creating mechanisms to further prevent violence.

Environment

Four states²⁶¹ raised the issue of climate change with one state giving a recommendation on the issue.²⁶² The RMI was congratulated on its efforts so far in the area of climate change particularly viewing it through a rights based framework and lobbying for assistance at the international level. It is clear from the review that the RMI will need significant technical and financial assistance in order to adapt to the effects of climate change and ensure its citizens have access to an adequate standard of living.²⁶³

Disability

The issue of disability was raised by four states²⁶⁴ and three recommendations were given on the issue.²⁶⁵ A number of states were concerned that disability was not included as a grounds for discrimination in the Constitution, whilst others recommended the development of a legal framework for people with disabilities, and ratifying the CRPD.

Country Indicator Table - Marshall Islands

THEMATIC AREA – Justice and Law Reforms		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Review and revise existing laws to ensure that they are nondiscriminatory, in accordance with international standards (Rec. 56/23); reinforce constitutional protections against discrimination to include sex, disability, sexual orientation and gender identity as prohibited grounds for discrimination (Rec. 56/24, 56/28); and ensure that human rights are afforded full legal protection (Rec. 56/13).</p>	<ul style="list-style-type: none"> • Conduct a legislative and policy review/ gap analysis to identify areas that need amendment. • Draft amendments in partnership with international/regional organisations. • Review the application of policies/ practices to identify areas that may need amendment. • Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to existing legislation/policy. • Relevant Minister prepares Cabinet memo regarding proposed amendments. • Create a select committee to facilitate harmonization of international law with domestic law. 	<ul style="list-style-type: none"> • All legislation harmonised with international human rights instruments. • All discriminatory provisions in legislation eliminated. • Policy changes approved by Cabinet. • Amendments to legislation approved by Parliament.

THEMATIC AREA – Thematic Human Rights Issues (Prevention of torture, education, climate change, racism, disability)		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Work to implement the Pacific Regional Strategy on Disability (Rec. 56/7); develop comprehensive legislation and policies in favour of persons with disabilities, particularly with regard to non-discrimination, accessibility, education and awareness-raising; amend its domestic law to prohibit discrimination based on disability, and adopt a national plan to address the needs of the disabled community (Rec. 56/29).</p>	<ul style="list-style-type: none"> • Review existing development plans and programs and ensure disability is incorporated. • Support the work of organisations working with persons with disabilities and ensure their ongoing operation. • Draft a National Policy and Action Plan on disability and ensure it is clear and affordable. • Establish a National Disabilities Taskforce, and regularly monitor its progress in implementing the National Policy. • Engage with civil society organisations working on disability and map services and gaps to identify strategic areas where government can assist. • Consult with persons with disabilities, civil society and relevant ministries about the ratification of CRPD and the implications for national legislation, policy and program implementation. • Produce/commission policy papers on areas affecting persons with disabilities including employment, equal opportunities, physical and urban planning, sport, youth and health. • Conduct nationwide assessment of persons with disabilities collecting information on sex, age, disability, access to services (health, education etc.) and how to improve quality of life. • Collate information and analyse common themes, and utilise information to create and implement policy. 	<ul style="list-style-type: none"> • National Policy on Disability implemented, fully resourced and funded. • Specific legislation enacted on the rights of persons with disabilities, and all discriminatory provisions in existing legislation removed. • Database on disability in RMI informing policy, legislation and planning.

<p>Strengthen the adoption of necessary measures to implement a national programme aimed at eliminating violence against children and neglect, and adopt a plan of action to combat any form of violence against children (Rec. 56/20); and provide children with child-sensitive mechanisms for lodging complaints in case they are victims of violence and sexual exploitation (Rec. 56/21).</p>	<ul style="list-style-type: none"> • Develop a national policy and plan of action for children specifically addressing violence and neglect. • Draft specific laws to protect children from violence in partnership with international/regional organisations. • Review the application of policies/practices to identify areas that may need to be included. • Conduct consultations with relevant stakeholders (including relevant ministries) to discuss drafting legislation/policy. • Relevant Minister prepares Cabinet memo regarding proposed legislation. • Educate police and law enforcement officials on child rights. • Consult with civil society to ensure services are available to child victims and fill gaps as required. 	<ul style="list-style-type: none"> • Legislation enacted and national policies in line with the CRC. • Perpetrators of violence and neglect prosecuted. • Services available for child victims.
<p>Develop appropriate labour legislation in relation to children, in line with the state's obligations under CRC, ensuring the inclusion of ILO Conventions No. 138, on the Minimum Age for Admission to Employment, and No. 182, on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (Rec. 56/22).</p>	<ul style="list-style-type: none"> • Draft specific laws to protect children from exploitation in partnership with international/regional organisations. • Review the application of policies/practices to identify areas that may need to be included. • Conduct consultations with relevant stakeholders (including relevant ministries) to discuss drafting legislation/policy. • Relevant Minister prepares Cabinet memo regarding proposed legislation. • Educate police and law enforcement officials on child rights. • Consult with civil society to ensure services are available to child victims and fill gaps as required. 	<ul style="list-style-type: none"> • Child labour legislation enacted in line with the CRC and ILO Conventions. • Perpetrators of child labour practices prosecuted. • Services available for child victims.

<p>Continue implementing strategies and plans for national socio-economic development; (Rec. 56/30) continue implementing programmes and measures aimed at ensuring universal health care and quality education services for all its population (Rec. 56/31, 56/33), including by improving immunization rates and ensuring that development assistance funding reaches children in the outer islands (Rec. 56/34).</p>	<ul style="list-style-type: none"> • Encourage ownership of services by the community through ongoing community engagement, for example in the maintenance and upkeep of health posts, schools etc. • Monitor and evaluate implementation of development policies, strategies and plans in consultation with relevant stakeholders. • # communications/requests for financial and technical assistance from the relevant UN bodies and regional/international organisations. 	<ul style="list-style-type: none"> • Improvements in essential services for those living in both urban and rural areas. • Invest resources in essential services for those in both urban and rural areas, including provision of infrastructure. • Invest in training of quality personnel and provide incentives to work in essential services. • Improvements in key development indicators including MDGs.
<p>Seek assistance from the UN specialised agencies, funds and programmes, especially within the framework of partnerships, with a view to realising human rights in the areas of education, health, housing and development, and in addressing the legacy of nuclear tests (Rec. 56/32).</p>	<ul style="list-style-type: none"> • # communications/requests to UN specialised agencies in the areas of education, health, housing, development and issues related to past nuclear testing. • # requests to regional/international partners to assist in the development of the RMI. 	<ul style="list-style-type: none"> • Assistance sought from UN agencies, regional and international partners to assist in the realisation of human rights in the RMI.
<p>Intensify efforts to improve the living standards in detention facilities; improve promptly both the prison system itself and the treatment of all prisoners to meet international recognized standards (Rec. 56/35).</p>	<ul style="list-style-type: none"> • Conduct a review of prison conditions and detention centres, particularly conditions for juveniles. • Allow access to detention centres by independent civil society organisations. • Review policies and practices of police and correctional service officers including providing adequate redress for detainees. • Train police and prison/detention centre officials in human rights and juvenile justice. • Investigate thoroughly any allegations of torture, and bring perpetrators to account. 	<ul style="list-style-type: none"> • Prison conditions are in compliance with international standards.266 • Detainees have effective means of redress when their rights are violated. • Treatment of prisoners is in compliance with international standards.267

<p>Take a rights-based approach to adaptation to climate change (Rec. 56/36).</p>	<ul style="list-style-type: none"> · Involve communities and officials in climate change planning and advocacy. · # of climate change related international meetings attended and contributed to. · Prepare national climate change and sustainable development policies. · Correspondence and discussions with parties to the UN Framework Convention on Climate Change. 	<ul style="list-style-type: none"> · Community engaged in climate change mitigation and adaptation processes. · Regular engagement with the international community on climate change, including promotion of international cooperation. · Participated fully in HRC discussions on human rights and climate change. · Other parties to the UN Framework Convention on Climate Change lobbied to reach a global agreement on climate change. · Adopt a rights based approach to tackling the effects of climate change.
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THEMATIC AREA – National and Regional Human Rights Institutions

Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Establish a national human rights institution in accordance with the Paris Principles (Rec. 56/9, Rec. 56/10).²⁶⁸</p>	<ul style="list-style-type: none"> · Conduct/attend consultations of relevant stakeholders on what regional and national human rights mechanisms are, the benefits and challenges, and the impacts of establishing one. · # communications/requests sent to regional/international bodies to help with establishment. · Draft a policy paper on the creation of a national or regional human rights institution. · Establish a timeline and pathway for establishment. · Create a select committee/WG to facilitate establishment. · Support PIFS Working Group on a Regional Human Rights Mechanism. 	<ul style="list-style-type: none"> · National/regional human rights institution established in accordance with the Paris Principles.²⁶⁹ · Enact legislation to create a national human rights institution or support the establishment of a regional body.

<p>Nominate an ombudsmen for children (Rec. 56/12), provided with adequate human and financial resources to promote and strengthen accessibility for children and to enable children to submit complaints (Rec. 56/11).²⁷⁰</p>	<ul style="list-style-type: none"> • Establish a timeline and pathway for the appointment of an Ombudsman for children. • Draft legislation to establish an Ombudsman for children. 	<ul style="list-style-type: none"> • Ombudsman for children established with sufficient funding and resources allocated. • Children able to submit complaints to the Ombudsman. • Legislation enacted to create the appointment of an Ombudsman for children.
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THEMATIC AREA – Gender Equality

Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Prioritize legislation on women's rights, gender equality and domestic violence, and implement domestic policies aimed at eliminating violence against women; establish a national strategy to combat violence against women and girls, and take appropriate measures for coordinated, multisectoral responses in this regard; develop a national plan of action to combat violence against women (Rec. 56/15, 56/17, 56/18, 56/25, 56/26); and implement a system to counter domestic violence against women, and ensure that the perpetrators of such violence are prosecuted and appropriately punished; incorporate domestic violence into its criminal laws (Rec. 56/16).</p>	<ul style="list-style-type: none"> • Draft national policy on women's equality and elimination of VAW. • Conduct human rights education workshops on VAW for civil servants, including police, legal service agencies and communities. • Hold consultations with relevant stakeholders (including relevant ministries) on the development of VAW legislation. • Draft legislation in partnership with international/regional organisations. • Review the application of policies/practices to identify areas that may need amendment with the introduction of VAW legislation. • Relevant Minister prepares Cabinet memo regarding proposed VAW legislation. 	<ul style="list-style-type: none"> • Strategy for reduction of VAW in RMI developed, implemented and fully funded. • Legislation and policies on VAW enacted. • Implement and resource the 'no drop' policy.

<p>Ensure that the equal right of women and girls to education is carried out in practice, and take steps to guarantee equal pay for equal work (Rec. 56/27).</p>	<ul style="list-style-type: none"> • Conduct research into the situation of children in RMI, including why children (especially girls) are not accessing education. • Support the education department to measure and report changes in attendance, drop outs, quality of teaching and infrastructure on a regular basis. • Support communities, parents and children to raise awareness on the importance of education. • Address barriers to children accessing free education. • Address reasons why children are dropping out of school, especially girls. • Conduct research on pay structures in a range of industries and compare salaries between men and women. • Review legislation and policies regarding employment laws and remove any provisions which are discriminatory against women. 	<ul style="list-style-type: none"> • Reduction in barriers to children (particularly girls) accessing and attending education. • Increase in school attendance and reduction in drop outs. • Women are receiving equal pay for equal work.
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THEMATIC AREA – Promotion and protection of human rights, education, and public awareness

Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Strengthen educational and awareness raising programmes for local communities in order to promote awareness of human rights issues among society at large, and stimulate the participation of civil society organisations in the promotion and protection of human rights (Rec. 56/14).</p>	<ul style="list-style-type: none"> • # of village/community leaders and other community members trained in human rights, including international human rights standards, non-discrimination and gender. • Support human rights programs of civil society/NGOs. • Promote and develop awareness campaigns on citizen’s rights, and access to the formal justice system, as well as information on redress mechanisms. • Support the provision of free legal assistance to anyone who needs it. 	<ul style="list-style-type: none"> • Take measures to mainstream human rights into public education (including education and training of health workers, teachers, public officials, lawyers, justice officials etc.). • Human rights education institutionalised, with relevant curriculum in place. • Ongoing budget allocated for human rights education.

THEMATIC AREA – Treaty ratifications, treaty reporting and overall work with human rights mechanisms		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Consider ratification of core international human rights treaties and optional protocols to which RMI is not already a party (ICCPR, ICCPR-OP 1 and ICCPR-OP 2, ICESCR, OP-ICESCR, ICERD, CAT, OP-CAT, CRPD, CED, OP-CEDAW, OP-CRC-AC, OP-CRC-SC, UN Convention against Corruption) (Rec. 56/1, 56/2, 56/3, 56/4, 56/5, 56/6, 56/7, 56/8).</p>	<ul style="list-style-type: none"> • Create a timeline regarding treaty ratification. • # requests/correspondence/ communication to OHCHR to assist the government to ratify international instruments. • Draft a cabinet paper on ratification of international instruments and the implications for national policy and legislation. • Parliamentary debates on the ratification of international instruments. • Conduct consultations of relevant stakeholders (including relevant ministries) on plans to sign and ratify international treaties and to discuss impacts. • Conduct human rights training for police, law enforcement officials, staff of government ministries and other relevant stakeholders on the impacts of treaty domestication. 	<ul style="list-style-type: none"> • International treaties and protocols signed and ratified by the government.
<p>Facilitate the active involvement of civil society stakeholders, including human rights non-governmental organizations, in the follow-up to this review, especially to address violence against women and children and child abuse (Rec. 56/19)</p>	<ul style="list-style-type: none"> • Publish an article/media release/ hold a press conference on the UPR process and the impact it could have on improving human rights. • Create a UPR Task Force/Steering Committee (with relevant members from government and civil society) to coordinate a plan of action to implement accepted recommendations. • Ensure transparency in the process through publication of progress updates to media and relevant stakeholders. • Draw upon the knowledge and expertise of civil society to support the government in implementing recommendations. 	<ul style="list-style-type: none"> • Civil society is involved at all stages of follow up and implementation of recommendations from the review.
<p>Extend an open and standing invitation to the special procedures of the Human Rights Council (Rec. 56/37, 56/38)</p>	<ul style="list-style-type: none"> • Consult with relevant stakeholders (including relevant ministries) about extending a standing invitation to all human rights special procedures, and the consequences (e.g. financial). • Provide information to the public about human rights special procedures. 	<ul style="list-style-type: none"> • Standing invitation extended to all human rights special procedures.

Federated States of Micronesia

Date of 1st Round Review:	9 November 2010 (14th meeting of ninth session) ²⁷¹
Head of Delegation:	Mr. Jackson Soram, Deputy Assistant Secretary for Multilateral Affairs, Department of Foreign Affairs ²⁷²
Number of Recommendations:	73 (63 accepted, three rejected, seven with no clear response)
2nd Round Report Due:	19 January 2015
Date of 2nd Round Review:	22nd session (April - May 2015)

The national government created a task force that was responsible for preparing the UPR national report and despite the geographical and financial constraints of the country, consultations with various national agencies, state governments, and civil society took place, and were essential to the drafting of the country's national report.²⁷³ Slovakia commended the FSM for its consultation process during the review and the United Kingdom urged them to involve civil society in the follow up to the review.²⁷⁴ Four stakeholders²⁷⁵ submitted stakeholder reports to the HRC as part of the UPR process. The combined report focused on education, climate change, gender discrimination, VAW and children's rights.²⁷⁶

Five human rights issues became prominent during FSMs UPR. Following the main themes of the regional issues these were: the ratification and reporting on international human rights instruments; the creation of a human rights institution to strengthen the states institutional framework; gender discrimination and VAW; children's rights; and climate change. While no significant issues arose out of the area of education, it is of note that 11 states specifically welcomed the progress FSM had made in this area.²⁷⁷ The reason for rejecting recommendations was mainly due to the diversity of customs and the dynamics between customs and international human rights law.

Ratification and Reporting on International Human Rights Instruments

Of the core international human rights treaties, the FSM is a state party to the CRC, OP-CRC-SC²⁷⁸ and the CEDAW.²⁷⁹ See Annex 2 for a full list of treaties ratified and the status of past and current reports to treaty committees. Five states discussed the issue of ratification and reporting on international instruments with some asking questions regarding accession to specific instruments such as the Optional Protocols of the CRC and the Palermo Protocol.²⁸⁰ Despite this small number, 24 states made recommendations on this theme.²⁸¹

The FSM announced its intention to strive to ascension of the core human rights treaties²⁸² but highlighted the capacity constraints it faced as evidenced by the lack of reporting on instruments it had already ratified.²⁸³ Noting these constraints the FSM declared its willingness to continue to seek assistance from donor partners and United Nations implementing agencies. The delegation also indicated that, through its Constitution and existing laws, the country would ensure that fundamental rights associated with conventions that it had not yet ratified, were protected.²⁸⁴

Establishment of a Human Rights Institution

During the review Spain commended the FSM for its commitment to establish a NHRI²⁸⁵ and three further states made recommendations to this effect, all of which were accepted by the FSM.²⁸⁶ The country committed to looking into the possibility of establishing such a mechanism while being mindful of its limited capacity to do so.²⁸⁷

Gender Equality

Fourteen states raised issues relating to the rights of women in the interactive dialogue during the FSM's review.²⁸⁸ The concerns expressed by these states centred around two prominent issues in regards to gender; firstly, the issue of discrimination of women and girls regarding access to health care, education, employment and decision making; and secondly, the absence of legislation to provide women with legal protection against sexual and gender based violence. New measures allowing for paid maternity leave were welcomed and the delegation stated its efforts to remove reservations to CEDAW,²⁸⁹ and noted the government's support of activities to raise awareness and increase understanding on the issue of domestic violence.²⁹⁰ The delegation further stated that the strategic development plan of the FSM identified gender as one of its priorities.²⁹¹

Children

Five states discussed the rights of children during the interactive dialogue²⁹² but often these discussions were in reference to cross cutting issues such as treaty ratification, domestic violence and trafficking. Thirteen recommendations were given to the WG relating to the rights of children in the FSM.²⁹³ The majority of these called for legislative reform in various areas in order to further protect children's rights. The government stated that they recognised children as a valuable resource and as such, have strived to provide full access to free primary education and free secondary education at public schools.²⁹⁴ They also made a voluntary pledge to ratify the two Optional Protocols to the CRC and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the UNCTOC.²⁹⁵

Environment

Eight states recognised the extreme vulnerability of the FSM to the adverse impacts of climate change on the enjoyment of human rights in the country.²⁹⁶ While some states commended the country for its achievements in human rights and environmental security,²⁹⁷ others urged FSM to request international assistance to help address the issue.²⁹⁸ And although a number of states raised this issue during the interactive discussion, only one recommendation regarding climate change was made in the final report of the UPR WG.²⁹⁹

During the discussion the FSM recognised its capacity constraints and responded in support of the recommendations to seek international assistance in mitigating the adverse impacts of climate change on its people.³⁰⁰

Country Indicator Table - Federated States of Micronesia

THEMATIC AREA – Justice and Law Reforms		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
Ensure that human rights are afforded full legal protection (Rec. 61/21).	<ul style="list-style-type: none"> Conduct a legislative and policy review/gap analysis to identify areas that need amendment. Draft amendments in partnership with international/regional organisations. Review the application of policies/practices to identify areas that may need amendment. Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to existing legislation/policy. Relevant Minister prepares Cabinet memo regarding proposed amendments. Create a select committee to facilitate harmonization of international law with domestic law. 	<ul style="list-style-type: none"> All legislation harmonised with international human rights instruments. Policy changes approved by Cabinet. Amendments to legislation approved by Parliament.
Implement the outstanding legislative and administrative reforms required under the CRC, in particular all the necessary measures to prevent and address violence against children and child abuse (Rec. 61/31, 61/32, 61/33, 61/34 ³⁰¹).	<ul style="list-style-type: none"> Conduct a legislative and policy review/gap analysis to identify areas that need amendment. Draft amendments in partnership with international/regional organisations. Draft specific legislation and policies on child protection in consultation with key stakeholders. Review the application of policies/practices to identify areas that may need amendment. Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to existing legislation/policy. Relevant Minister prepares Cabinet memo regarding proposed amendments. 	<ul style="list-style-type: none"> All legislation harmonised with the CRC. Policy changes approved by Cabinet. Amendments to legislation approved by Parliament.

THEMATIC AREA – Thematic Human Rights Issues (Prevention of torture, education, climate change, racism, disability)		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Pass a comprehensive anti-trafficking law applicable in the Federated States of Micronesia, and promptly ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the Convention against Transnational Organized Crime (Rec. 61/29) and guarantee the protection and rehabilitation of the victims of trafficking (Rec. 61/63).</p>	<ul style="list-style-type: none"> • Request assistance from regional/ international partners to draft a comprehensive anti-trafficking law, and use similar Pacific legislation as a model. • Conduct consultations with relevant stakeholders to provide feedback on the draft, and implications of it being enacted. • Create a task force on trafficking to coordinate the legislation and ratification of the protocol. • Increase collaboration with civil society, religious, and tribal leaders to raise awareness about trafficking, including the need to reduce demand for forced labour and the commercial sex trade. • Investigate, prosecute and punish officials who facilitate or benefit from trafficking. • Develop and institute a formal procedure to identify victims of trafficking among vulnerable groups • Ensure victims of trafficking are not arrested, deported, or otherwise punished for acts committed as a direct result of being trafficked. • Train law enforcement officers on victim identification and protection. • Monitor trafficking activities in the region. 	<ul style="list-style-type: none"> • Anti-trafficking legislation enacted. • Offenders of trafficking prosecuted, and victims of trafficking protected. • National anti-trafficking body established to monitor adherence, and report on violations.

<p>Adopt labour laws and social security norms in accordance with international protection standards, criminalize sexual abuse, and adequately regulate child labour (Rec. 61/35,³⁰² 61/36, 61/37, 61/38).</p>	<ul style="list-style-type: none"> • Draft specific laws to protect children from abuse and exploitation in partnership with international/regional organisations. • Review the application of policies/practices to identify areas that may need to be included. • Conduct consultations with relevant stakeholders (including relevant ministries) to discuss drafting legislation/policy. • Relevant Minister prepares Cabinet memo regarding proposed legislation. • Educate police and law enforcement officials on child rights. • Consult with civil society to ensure services are available to child victims and fill gaps as required. 	<ul style="list-style-type: none"> • Perpetrators of child abuse and child labour practices prosecuted. • Services available for child victims. • Legislation approved by Parliament.
<p>Continue implementing strategies and plans for national socio-economic development (Rec. 61/44); and continue to apply programmes and measures to ensure the enjoyment of the right to education and the right to health (Rec. 61/67) and continue its efforts regarding access to health, environmental protection and the right to education, calling for technical and financial assistance to accompany the government's efforts in these fields (Rec. 61/70); continue to develop its economy in accordance with its national conditions, and continue to reduce poverty (Rec. 61/69).</p>	<ul style="list-style-type: none"> • Encourage ownership of services by the community through ongoing community engagement, for example in the maintenance and upkeep of health posts, schools. • Monitor and evaluate implementation of development policies, strategies and plans in consultation with relevant stakeholders. • # communications/requests for financial and technical assistance from the relevant UN bodies, and regional/international organisations. 	<ul style="list-style-type: none"> • Improvements in essential services for those living in both urban and rural areas. • Invest resources in essential services for those in both urban and rural areas, including provision of infrastructure. • Invest in training of quality personnel and provide incentives to work in essential services. • Improvements in key development indicators including MDGs.

<p>Include sexual orientation and gender identity as prohibited grounds for discrimination in legislation and equality initiatives (Rec. 61/52).</p>	<ul style="list-style-type: none"> • Ensure that the relevant provisions of the Constitution are amended to include freedom from discrimination on the grounds of sexual orientation and gender identity. • Conduct a review of all policy and legislation to identify areas which may need amendment. • Consult with relevant stakeholders and ministries about drafting a specific piece of anti-discrimination legislation, or amendments to existing legislation. • Draft amendments in partnership with international/regional organisations. • Review the application of policies/practices to identify areas that may need amendment. • Relevant Minister prepares Cabinet memo regarding proposed amendments. 	<ul style="list-style-type: none"> • All legislation and policies have specific anti-discrimination provisions including provisions for redress. • Policy changes approved by Cabinet. • Amendments to legislation approved by Parliament.
<p>Establish effective measures to prevent mistreatment in detention centres and prisons, for example, through human rights training programmes for members of the police (Rec. 61/57) .</p>	<ul style="list-style-type: none"> • Conduct a review of prison conditions and detention centres, particularly conditions for juveniles. • Allow access to detention centres by independent civil society organisations. • Review policies and practices of police and correctional service officers including providing adequate redress for detainees. • Train police and prison/detention centre officials in human rights and juvenile justice. • Investigate thoroughly any allegations of torture, and bring perpetrators to account. 	<ul style="list-style-type: none"> • Prison conditions are in compliance with international standards.³⁰³ • Detainees have effective means of redress when their rights are violated. • Treatment of prisoners is in compliance with international standards.³⁰⁴

<p>Take all appropriate measures, including the revision of legislation, the initiation of a comprehensive study on child abuse, ill treatment and domestic violence, to prevent and combat ill treatment within, inter alia, the family and institutions, as well as the sexual abuse of children (Rec. 61/64) in accordance with recommendations from the Committee on the Rights of the Child (Rec. 61/65).</p>	<ul style="list-style-type: none"> • Develop a national policy and plan of action for children, specifically addressing violence and abuse. • Draft specific laws to protect children from violence, in partnership with international/regional organisations. • Review the application of policies/practices to identify areas that may need to be included. • Conduct consultations with relevant stakeholders (including relevant ministries) to discuss drafting legislation/policy. • Relevant Minister prepares Cabinet memo regarding proposed legislation. • Educate police and law enforcement officials on child rights. • Consult with civil society to ensure services are available to child victims and fill gaps as required. 	<ul style="list-style-type: none"> • Legislation enacted and national policies in line with the CRC. • Perpetrators of violence and neglect prosecuted. • Services available for child victims.
<p>Develop and implement awareness programmes about sexual and reproductive health targeting youth (Rec. 61/68).</p>	<ul style="list-style-type: none"> • Continue funding and support for awareness raising on sexual education through health centres, youth organisations and schools. • Develop sexual education curriculum for schools with relevant stakeholders and government ministries involved. • Pilot curriculum in a limited number of schools and revise as required. • Encourage safe sex practices through awareness campaigns, the media and community events. 	<ul style="list-style-type: none"> • Awareness programmes conducted on sexual health. • Sexual health incorporated into national school curriculum.

<p>Seek further cooperation with the international community and relevant United Nations agencies to enhance its technical capacity building in mitigating the impact of climate change on its efforts to promote and protect human rights within its country (Rec. 61/73).</p>	<ul style="list-style-type: none"> • # of climate change related international meetings attended and contributed to. • Prepare national climate change and sustainable development policies. • Correspondence and discussions with parties to the UN Framework Convention on Climate Change. 	<ul style="list-style-type: none"> • Regular engagement with the international community on climate change, including promotion of international cooperation. • Participated fully in HRC discussions on human rights and climate change. • Other parties to the UN Framework Convention on Climate Change lobbied to reach a global agreement on climate change. • Adopt a rights based approach to tackling the effects of climate change.
THEMATIC AREA – National and Regional Human Rights Institutions		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Establish a national human rights institution in accordance with the Paris Principles (Rec. 61/39, 61/40, 61/41).</p>	<ul style="list-style-type: none"> • Conduct/attend consultations of relevant stakeholders on what regional and national human rights mechanisms are, the benefits and challenges, and the impacts of establishing one. • # communications/requests sent to regional/international bodies to help with establishment. • Draft a policy paper on the creation of a national or regional human rights institution. • Establish a timeline and pathway for establishment. • Create a select committee/WG to facilitate establishment. • Support PIFS Working Group on a Regional Human Rights Mechanism. 	<ul style="list-style-type: none"> • National/regional human rights institution established in accordance with the Paris Principles.³⁰⁵ • Enact legislation to create a national human rights institution or support the establishment of a regional body.

THEMATIC AREA – Gender Equality		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
Eliminate all laws and practices that discriminate against women, implement the national plan of action to promote gender equality (Rec. 61/42) promote equal treatment of girls and boys, including through awareness programmes (Rec. 61/23, 61/43) and equal remuneration in the workplace (Rec. 61/51) .	<ul style="list-style-type: none"> Conduct a review/gap analysis to identify areas that need amendment/drafting. Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to the Constitution, legislation and government policy. Develop and implement a national plan of action, and monitor progress against key indicators. Conduct consultations with specific gender related stakeholders. Conduct scoping/surveys to gather information and statistics on women’s human rights issues (VAW, women in parliament, girls in school etc.). Conduct gender training with stakeholders including government, the judiciary, and the police Conduct research on pay structures in a range of industries and compare salaries between men and women. Review legislation and policies regarding employment laws and remove any provisions which are discriminatory against women. 	<ul style="list-style-type: none"> All discriminatory provisions in the Constitution, legislation and policy eliminated. National plan of action implemented, fully funded and resourced. Amendments to the Constitution/legislation/ policies approved by Parliament. Government/civil service position created to oversee gender, which is fully funded and resourced. Equal pay provisions in legislation and policy.

<p>Fully implement legislation related to the rights of women, including addressing violence against women, sexual abuse of women and children and marriage (Rec. 61/25, 61/26, 61/27, 61/28, 61/30, 61/42); to guarantee effective gender equality and to combat gender violence,</p> <p>while providing special follow-up to cases of gender violence and studying the reasons why there are so few complaints to the authorities (Rec. 61/54, 61/58, 61/51); rehabilitation of victims (Rec. 61/55, 61/59, 61/62); and work proactively to use both judicial and law enforcement tools to reduce such incidences (Rec. 61/60).</p>	<ul style="list-style-type: none"> • Draft a national policy on women’s equality and elimination of VAW. • Conduct human rights education workshops on VAW for civil servants, including police, legal service agencies and communities. • Hold consultations with relevant stakeholders (including relevant ministries) on the development of VAW legislation. • Draft legislation in partnership with international/regional organisations. • Review the application of policies/ practices to identify areas that may need amendment with the introduction of VAW legislation. • Relevant Minister prepares Cabinet memo regarding proposed VAW legislation. • Implement public awareness campaign on VAW and its negative consequences. • Train law enforcement agencies, police, magistrates and lawyers on human rights including the rights of women. 	<ul style="list-style-type: none"> • Strategy for reduction of VAW in FSM developed, implemented and fully funded. • Legislation and policies on VAW enacted.
<p>Take measures to promote the participation of women in the decision making process (Rec. 61/50, Rec. 61/51) and empower women in its human rights protection efforts (Rec. 61/69).</p>	<ul style="list-style-type: none"> • Examine barriers to women being represented in decision-making, and develop a strategy to address these barriers. • Support women in leadership programs and initiatives. • Review equal opportunity provisions in policies and legislation and examine whether temporary special measures or quotas need to be adopted. • Develop an action plan for the implementation of temporary special measures. • Engage and consult with women’s groups on promoting women’s empowerment in all levels of society. 	<ul style="list-style-type: none"> • Adoption of relevant temporary special measures in policy and legislation. • Increase in the number of women in leadership positions.

<p>Ensure that there is no difference between the acceptable age of marriage for girls and boys in all its territories and that young girls are not subjected to early marriage (Rec. 61/56).</p>	<ul style="list-style-type: none"> • Conduct a legislative and policy review/ gap analysis to identify areas that need amendment. • Draft amendments in partnership with international/regional organisations. • Review the application of policies/ practices to identify areas that may need amendment. • Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to existing legislation/policy. • Relevant Minister prepares Cabinet memo regarding proposed amendments. • Community education programs on the negative consequences of early marriage especially for girls. • Promotion of rights of the child (particularly girls) amongst communities through events, media campaigns, launches etc. 	<ul style="list-style-type: none"> • The legal minimum age of marriage is the same for girls and boys. • Policy changes approved by Cabinet. • Amendments to legislation approved by Parliament.
<p>Initiate a comprehensive study on abuse, ill treatment and domestic violence against women and girls, the results of which can be used as the basis for social programmes to prevent these serious problems (Rec. 61/61).</p>	<ul style="list-style-type: none"> • Draft a proposal for a technical team to complete a comprehensive study into VAW and girls. • Utilise regional and international expertise on methodologies for completing studies on VAW (e.g. WHO methodology) • Partner with UN/regional organisations to complete the study. 	<ul style="list-style-type: none"> • Study on VAW in FSM completed utilising regional and international expertise.

THEMATIC AREA – Promotion and protection of human rights, education, and public awareness

Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Ensure that its national programmes in the field of education include human rights education and training (Rec. 61/45) and include women's rights in education curricula (Rec. 61/53).</p>	<ul style="list-style-type: none"> • Develop human rights curriculum in partnership with regional/international organisations. • Consult with key stakeholders, including civil society, on the content of the human rights curriculum. • Organise training for education providers on human rights, and request assistance for technical input. 	<ul style="list-style-type: none"> • Human rights education institutionalised, with relevant curriculum in place. • Ongoing budget allocated for human rights education. • Take measures to mainstream human rights into public education (including education and training of health workers, teachers, public officials, lawyers, justice officials etc.).

THEMATIC AREA – Treaty ratifications, treaty reporting and overall work with human rights mechanisms		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Consider ratification of core international human rights treaties and optional protocols to which FSM is not already a party (ICCPR, ICERD, OP-CEDAW, ICESCR, CAT, OP-CAT, CPRD, ICRMW, CED, OP-CRC-AC, OP-CRC-SC, 1951 Convention relating to the Status of Refugees and its 1967 Protocol, Protocol to Prevent, Suppress and Punish, Trafficking in Persons, Especially Women and Children) (Rec. 61/1, 61/2, 61/3, 61/4, 61/5, 61/6, 61/7, 61/8, 61/9, 61/10, 61/11, 61/12, 61/13, 61/14).</p>	<ul style="list-style-type: none"> • Create a timeline regarding treaty ratification. • # requests/correspondence/ communication to OHCHR to assist the government to ratify international instruments. • Draft a cabinet paper on ratification of international instruments and the implications for national policy and legislation. • Parliamentary debates on the ratification of international instruments. • Conduct consultations of relevant stakeholders (including relevant ministries) on plans to sign and ratify international treaties and to discuss impacts. • Conduct human rights training for police, law enforcement officials, staff of government ministries and other relevant stakeholders on the impacts of treaty domestication. 	<ul style="list-style-type: none"> • International treaties and protocols signed and ratified by the government.
<p>Consider seeking membership in the International Labour Organization with a view to ratifying the Organization's fundamental Conventions (Rec. 61/15).</p>	<ul style="list-style-type: none"> • Review the Constitution of the ILO and consider the implications of becoming a member. • Consult with relevant stakeholders, including civil society, on becoming a member of the ILO. • Examine the organisation's fundamental conventions and identify any areas which may be in conflict with current legislation and policy. • Accept the obligations of the ILO Constitution and become a member. 	<ul style="list-style-type: none"> • Membership to the ILO considered. • ILO fundamental conventions ratified.

<p>Continue working with state governments to remove the reservations to the CEDAW (Rec. 61/16, 61/17, 61/18, 61/19, 61/20).³⁰⁶</p>	<ul style="list-style-type: none"> • Review reservations issued to the CEDAW. • Consult with relevant state governments (including government ministries and civil society) about the withdrawal of reservations and the subsequent consequences. • Request financial and technical assistance from regional/international partners to progress towards the withdrawal of reservations. 	<ul style="list-style-type: none"> • Reservations to the CEDAW withdrawn.
<p>Be more regular in submitting reports to treaty bodies and call, if necessary, for technical assistance in this field (Rec. 61/46, 61/47).</p>	<ul style="list-style-type: none"> • Create a National Human Rights Coordination Group (made up of government and civil society) to coordinate all human rights treaty reporting. • Consider developing a common core document for all treaty reporting. • Consult with relevant stakeholders about the status of human rights in Samoa. • # requests/correspondence to OHCHR and treaty bodies regarding assistance with treaty reporting. 	<ul style="list-style-type: none"> • All reporting obligations to treaty bodies met. • # of stakeholder reports submitted through the treaty reporting process. • All domestic legislation harmonised with ratified international treaties. • Creation of a National Human Rights Coordination Group including a government/civil service position to coordinate issues related to human rights (including reporting), which is fully funded and resourced. • Common core document developed and used for treaty reporting.

<p>Consider extending a standing invitation to all special procedures of the Human Rights Council (Rec. 61/48, 61/49).</p>	<ul style="list-style-type: none"> · Consult with relevant stakeholders (including relevant ministries) about extending a standing invitation to all human rights special procedures, and the consequences (e.g. financial). · Provide information to the public about human rights special procedures. 	<ul style="list-style-type: none"> · Standing invitation extended to all human rights special procedures.
<p>Seek technical assistance from the relevant United Nations bodies and involve civil society stakeholders, including human rights non-governmental organizations, in the follow-up to the universal periodic review in addressing the concerns highlighted (Rec. 61/71, 61/72).</p>	<ul style="list-style-type: none"> · Publish an article/media release/ hold a press conference on the UPR process and the impact it could have on improving human rights. · Create a UPR task force/steering committee (with relevant members from government and civil society) to coordinate a plan of action to implement accepted recommendations. · Ensure transparency in the process through publication of progress updates to media and relevant stakeholders. · Draw upon the knowledge and expertise of civil society to support the government in implementing recommendations. · # communications/requests submitted to and regional/international organisations for assistance. 	<ul style="list-style-type: none"> · Civil society is involved at all stages of follow up and implementation of recommendations from the review.

Nauru

Date of 1st Round Review:	24 January 2011 (First meeting of 10th session) ³⁰⁷
Head of Delegation:	Hon. Mr. Mathew Batsiua (Minister for Health, Justice and Sports) ³⁰⁸
Number of Recommendations:	111 (95 accepted, 14 noted, two unclear responses)
2nd Round Report Due:	20 July 2015
Date of 2nd Round Review:	23rd session (October – November 2015)

In May 2010, in preparation for the national report, a workshop on the UPR reporting mechanism was facilitated by the OHCHR, and RRRT and attended by participants from government and civil society. From that workshop a task force was created to facilitate the preparation of Nauru's first report for its UPR. This task force continued consultations with relevant stakeholders and then appointed a drafting committee to draft successive reports which were again used to obtain feedback from civil society before cabinet adopted the final report.³⁰⁹ Nine stakeholders³¹⁰ submitted independent reports to the HRC on a range of issues including discrimination against women, the establishment of a regional human rights institution, VAW, freedom of information, and the right to an adequate standard of living.³¹¹

A total of 111 recommendations were made to Nauru during its UPR of which it accepted 95, noted 14, and made unclear responses to two. From an analysis of the delegation's responses in the addendum to the final report of the WG³¹² it is understood that the word noted is used in response to recommendations the state agrees to be important but are recommendations it is not considering following at the time of the review.

The topics most discussed and recommended during Nauru's review were the ratification and reporting on international instruments, gender, VAW, children's rights and lastly, the human rights impacts of mining and climate change.

Ratification and Reporting on International Human Rights Treaties

Nauru is currently a party to the CRC, CRPD,³¹³ CEDAW,³¹⁴ and CAT.³¹⁵ See Annex 2 for a full list of treaties ratified and the status of past and current reports to treaty committees. Thirty-four recommendations³¹⁶ were made regarding the ratification and reporting on international human rights instruments during Nauru's UPR, despite only eight states mentioning the issue during the interactive discussion.³¹⁷ During the interactive dialogue, states questioned Nauru's plans and intentions to ratify key human rights instruments and welcomed those treaties Nauru had already become a party to. Nauru's intention to be bound by those instruments it has yet to be a party to was also welcomed during the review.³¹⁸

Nauru noted that it had signed most of these instruments and that for many of the treaties, legislative obligations had found expression in existing laws.³¹⁹ It noted however that the burden of reporting remained one of the greatest challenges facing the state in its efforts to meet its obligations.³²⁹ Nauru also highlighted its commitment to signing CEDAW and its investigation into ratification of the ICCPR through a WG that was tasked to assess the country's capacity and make recommendations on ratification within the context of their findings.³²¹

Gender

In its presentation to the WG at the beginning of the review, Mr. Batsiua highlighted the 2011 legislative agenda which contained three year plans to review the Nauruan *Criminal Code*, much of which had remained unchanged since 1899, and introduce significant changes to how domestic violence was addressed.³²² Seventeen states then raised issues related to gender during the interactive dialogue with many states raising concerns about the absence of specific legislation to address domestic violence.³²³ From these concerns 19 recommendations on gender issues were made,³²⁴ well as 11 recommendations specifically regarding the ratification of CEDAW.³²⁵ Many states did recognise however, Nauru's efforts to combat VAW, including the establishment of a Domestic Violence Unit within the police force and the creation of a *National Action Plan for Women* highlighting the elimination of VAW as a priority.

Children

Six states commented on the issue of children's rights during Nauru's review and six recommendations were made.³²⁶ Many of these comments centred around commending Nauru for measures taken to strengthen children's rights including ratification of the CRC and the creation of a National Youth Council. Two states however expressed concerns over the prevalence of child abuse and another noted the absence of reports to the Committee on the Rights of the Child. Nauru acknowledged its shortcomings on reporting but highlighted challenges in capacity on this issue. It also acknowledged the lack of a focal point on children's issues which often cut across different sectors.³²⁷

Environment

During the dialogue, a number of states noted the vulnerability of Nauru to environmental challenges particularly in regards to the issues of climate change and phosphate mining.³²⁸ States also recognised the limited capacity available in which to address these challenges. In line with these observations, seven recommendations were made which included suggestions for Nauru to seek international cooperation to address these environmental issues. Nauru announced its commitment to enact environmental rights as human rights and its support of a survey to assess the impact of the mining industry on local communities, so further measures can be taken to improve the lives of the Nauruan population.³²⁹

Country Indicator Table - Nauru

THEMATIC AREA – Justice and Law Reforms		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
Continue its efforts with a view to approving the constitutional reform package (Rec. 79/28).	<ul style="list-style-type: none"> Continue the constitutional reform process by proposing amendments to the Constitution that can be enacted by the Parliament. Consider the amendments to the <i>Constitution of Nauru (Parliamentary Amendments) Act</i> as outlined in the constitutional review to date. Raise awareness of the community on the changes to the Constitution and the consequences. 	<ul style="list-style-type: none"> Constitution is amended by Parliament, with full participation of the community in the reform process.
Seek the assistance of the international community in its efforts to expand and strengthen its legal and judicial sectors (Rec. 79/73).	<ul style="list-style-type: none"> # communications/requests to regional/international partners for technical and financial assistance. Request assistance to provide increased training to those already in the legal profession. Ensure incentives and competitive salaries are in place to encourage legal professionals to practice in Nauru. 	<ul style="list-style-type: none"> Increase in the number of Nauruans working in the legal and judicial sector in Nauru.
THEMATIC AREA – Thematic Human Rights Issues (Prevention of torture, education, climate change, racism, disability)		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
Abolish the death penalty (Rec. 79/21, 79/57).	<ul style="list-style-type: none"> Conduct a legislative and policy review/gap analysis to identify areas that need amendment. Draft amendments in partnership with international/regional organisations. Review the application of policies/practices to identify areas that may need amendment. Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to existing legislation/policy. Relevant Minister prepares Cabinet memo regarding proposed amendments. 	<ul style="list-style-type: none"> The death penalty is abolished under all circumstances. Policy changes approved by Cabinet. Amendments in legislation approved by Parliament.

<p>Designate and empower one or more government officials to coordinate the government's efforts to protect children (Rec. 79/33).</p>	<ul style="list-style-type: none"> • Draft position descriptions for Child Desk Officers. • Advertise positions and conduct recruitment process. • Ensure budgets include costs related to the positions and implementation of activities. • Monitor and performance manage the staff including regular performance appraisals against key performance indicators. 	<ul style="list-style-type: none"> • Child Desk officers in place, which are fully funded and resourced.
<p>Improve the quality and access of education to all (Rec. 79/89, 79/91) including efficient educational policies (Rec. 79/90)</p>	<ul style="list-style-type: none"> • Conduct research into the situation of children in Nauru, including why children are not accessing education. • Develop an action plan based on the issues raised with parents, communities, and relevant stakeholders. • Support the education department to measure and report changes in attendance, drop outs, quality of teaching and infrastructure on a regular basis. • Support communities, parents and children to raise awareness on the importance of education. • Address barriers to children accessing free education. • Address reasons why children are dropping out of school, especially girls. 	<ul style="list-style-type: none"> • Reduction in barriers to children accessing and attending education. • Increase in school attendance and reduction in drop outs. • Education is free and compulsory and enshrined in national policy.
<p>Draft a new criminal code that would, inter alia, decriminalize sexual activity between consenting adults of the same sex (Rec. 79/38, 79/74, 79/75)</p>	<ul style="list-style-type: none"> • Revise and draft a new criminal code with relevant stakeholders which decriminalises sexual activity between consenting adults of the same sex. • Conduct consultations with relevant stakeholders (including relevant members of civil society) to discuss drafting new legislation. • Relevant Minister prepares Cabinet memo regarding amended legislation. 	<ul style="list-style-type: none"> • Sexual relations between consenting adults of the same sex decriminalised. • Legislation enacted by Parliament.

<p>Develop, within the United Nations and regional mechanisms, a mitigation and management plan for disasters, with a human rights approach, in accordance with what has been suggested by the UNHCR (Rec. 79/40)</p>	<ul style="list-style-type: none"> · Review implementation of the <i>2009 Disaster Risk Management Act</i> and the <i>2009 NDRM Plan</i> and monitor progress against implementation. · Strengthen existing national disaster management structures and ensure adequate funding and support is provided to ensure effective functioning. · Develop, as required, a mitigation and management plan for disasters in partnership with the UN and regional mechanisms. 	<ul style="list-style-type: none"> · Plan to manage and mitigate natural disasters in place.
<p>Establish stronger laws against perpetrators of child abuse including sexual exploitation, and increase penalties and sentencing in courts (Rec. 79/69, 79/70, 79/71, 79/72)</p>	<ul style="list-style-type: none"> · Review and revise existing laws on child abuse, and penalties for perpetrators. · Consult with relevant stakeholders about proposed amendments to legislation. · Relevant Minister prepares Cabinet memo regarding proposed amendments. · Train magistrates, judges, lawyers and law enforcement personnel on child rights. · Conduct awareness raising activities with communities on revised laws and increased penalties. · Ensure sentencing guidelines and recommended penalties for crimes against children are in place, in line with the CRC. 	<ul style="list-style-type: none"> · Revised laws on child abuse enacted by Parliament, in line with the CRC. · Increased sentences and penalties for perpetrators of child abuse.
<p>Establish freedom of information laws, including by amending the Official Information Act of 1976, and increase access to the Internet (Rec. 79/77, 79/78); establish mechanisms to increase the population's access to government information (Rec. 79/76).</p>	<ul style="list-style-type: none"> · Conduct a legislative and policy review/ gap analysis to identify areas that need amendment or repealing. · Amend or repeal the <i>Official Information Act of 1976</i>. · Draft new FOI legislation in partnership with international/regional organisations. · Review the application of existing policies/practices to identify areas that may need amendment. · Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments/drafting of legislation/policy. · Relevant Minister prepares Cabinet memo regarding proposed amendments. 	<ul style="list-style-type: none"> · FOI legislation and policies enacted by Parliament.

<p>Reduce the voting age from 20 years to 18 years (Rec. 79/79).330</p>	<ul style="list-style-type: none"> · Conduct consultations with relevant stakeholders (including relevant ministries, civil society and communities) to discuss amending the Constitution to change the voting age from 20 years to 18 years. · Draft amendments to the Constitution. 	<ul style="list-style-type: none"> · Constitution amended to reduce the voting age to 18. · Amendments to the Constitution approved by Parliament.
<p>Continue to implement strategies and plans for the socio-economic development of the country, including in the environmental area (Rec. 79/83); and strengthen its efforts to protect the rights of all persons to enjoy the highest possible level of physical and mental health, and take concrete measures to strengthen free and effective access to health for children and adults with mental disabilities (Rec. 79/88, 79/89)</p>	<ul style="list-style-type: none"> · Assess current access to services especially access to health facilities for children and adults with disabilities. · Develop a plan for implementation of essential services in consultation with communities, key stakeholders and implementing agencies. · Request funding and technical assistance from development partners/donors to improve service delivery. · Encourage ownership of services by the community through ongoing community engagement, for example in the maintenance and upkeep of health posts, etc. · Ensure free healthcare for persons with disabilities. · Monitor and evaluate implementation of development policies, strategies and plans in consultation with relevant stakeholders. 	<ul style="list-style-type: none"> · Access to adequate water, sanitation, education, health and essential services fully funded and resourced (including for persons with disabilities). · Invest in training of quality personnel and provide incentives to work in essential health services. · Improvements in key development indicators, including the MDGs.

<p>In view of the increasing challenges posed by climate changes, develop a human rights-based climate change adaptation strategy and increase cooperation with the relevant UN bodies and other regional/international organisations in its efforts to mitigate the harms from environmental degradation and adapt to the effects of climate change (Rec. 79/84, 79.85, 79/86); and continue to remind major emitting states for their obligations to reduce greenhouse gas emissions (Rec. 79/87, 79/101).</p>	<ul style="list-style-type: none"> · # of awareness activities/workshops for communities and officials on climate change including its connection to human rights, its consequences, as well as mitigation and adaptation planning. · Involve communities and officials in climate change planning and advocacy. · # of climate change related international meetings attended and contributed to. · Prepare national climate change and sustainable development policies. · Correspondence and discussions with parties to the UN Framework Convention on Climate Change. 	<ul style="list-style-type: none"> · Community engaged in climate change mitigation and adaptation processes. · Regular engagement with the international community on climate change, including promotion of international cooperation. · Participated fully in HRC discussions on human rights and climate change. · Other parties to the UN Framework Convention on Climate Change lobbied to reach a global agreement on climate change. · Number of fully funded projects implemented on climate change. · Adopt a rights based approach to tackling the effects of climate change.
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<p>Adopt measures to assure to all persons with disabilities access to educational and vocational training programmes, in consultation with these persons and their representatives (Rec. 79/92).</p>	<ul style="list-style-type: none"> · Develop a policy and action plan on access to education for persons with disabilities and assess the need for specific schools and services for persons with disabilities. · Review existing development plans and programs and ensure disability is incorporated. · Support the work of organisations working with persons with disabilities in the area of education and vocational training and ensure their ongoing operation. · Draft a National Policy on Action Plan on Disability and ensure it is clear and affordable. · Establish a National Disabilities Taskforce, and regularly monitor its progress in implementing the National Policy. · Produce/commission policy papers on areas affecting persons with disabilities including employment, equal opportunities, physical and urban planning, sport, youth and health. 	<ul style="list-style-type: none"> · Education and vocational training opportunities accessible for persons with disabilities. · Disability incorporated into all development plans and programs. · National Policy and Action Plan on Disability implemented with full funding and resources.
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<p>Promote recovery and conservation of traditional knowledge in order to restore ancestral heritage (Rec. 79/93).</p>	<ul style="list-style-type: none"> Request regional/international technical and financial assistance to recover and conserve traditional knowledge. Consider setting up a national centre for cultural conservation to protect and promote traditional knowledge. 	<ul style="list-style-type: none"> Nauruan culture and knowledge promoted and preserved. A specific civil service position created dedicated to culture, and the recovery and conservation of traditional knowledge, which is fully funded and resourced.
<p>Engage members of the international donor community and seek technical assistance and capacity building to address the problem of food security, access to clean and fresh water, and the effects of environmental pollution (Rec. 79/99, 79/100); and continue its efforts to attain food sovereignty on the basis of food diversification (Rec. 79/82); strengthen programs to fight poverty (Rec. 79/81).</p>	<ul style="list-style-type: none"> # requests/communications with regional/international donors regarding technical and financial assistance. Continue to work through the Pacific Small Island Developing States (PSIDS) to lobby for assistance in the area of food and water security. Develop and fund initiatives aimed at reducing Nauru's dependency on imported food, including food diversification. Continue to train communities (in collaboration with civil society) in kitchen gardens to increase individual subsistence agriculture. Revise policies on the operation of local and foreign investors to encourage increased investment in Nauru. 	<ul style="list-style-type: none"> Nauruans have access to fresh locally grown produce, and fresh water. Number of fully funded food diversification and local food production programs.
THEMATIC AREA: National and Regional Human Rights Institutions		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Consider establishing an independent national human rights institution in accordance with the Paris Principles (Rec. 79/30, 79/31, 79/32).</p>	<ul style="list-style-type: none"> Conduct/attend consultations of relevant stakeholders on what regional and national human rights mechanisms are, the benefits and challenges, and the impacts of establishing one. # communications/requests sent to regional/international bodies to help with establishment. Draft a policy paper on the creation of a national or regional human rights institution. Establish a timeline and pathway for establishment. Create a select committee/WG to facilitate establishment. 	<ul style="list-style-type: none"> National/regional human rights institution established in accordance with the Paris Principles.³³¹ Enact legislation to create a national human rights institution or support the establishment of a regional body.

THEMATIC AREA – Gender Equality		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Enact and implement specific legislation on gender equality, violence against women and child abuse, with the possible assistance of the PIFS (Rec. 79/10, 79/55, 79/59, 79/60, 79/61, 79/62, 79/63, 79/64, 79/66, 79/67, 79/68); review existing legislation, (<i>Criminal Code</i>), policy, and practice to ensure protection for the rights of women (for example in the workplace) (Rec. 79/11, 79/29, 79/38, 79/59, 79/62, 79/65, 79/39).</p>	<ul style="list-style-type: none"> • Conduct a review/gap analysis to identify areas that need amendment/drafting. • Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to the Constitution, legislation and government policy. • Implementation of mechanisms to support gender equality – i.e. gender responsive budgeting, temporary special measures. • Continue implementation of the national plan of action, and monitor progress against key indicators. • Conduct scoping/surveys to gather information and statistics on women’s human rights issues (VAW, women in parliament, girls in school etc.). • Conduct gender trainings with stakeholders including government, the judiciary, and the police. • Draft national policy on women’s equality and elimination of VAW. • Conduct human rights education workshops on VAW for civil servants, including police, legal service agencies and communities. • Draft VAW legislation in partnership with international/regional organisations. 	<ul style="list-style-type: none"> • All discriminatory provisions in the Constitution, legislation and policy eliminated. • Strategy for reduction of VAW in Nauru developed, implemented and fully funded. • Legislation and policies on VAW enacted. • Amendments to the Constitution/legislation/ policies approved by Parliament. • Government/civil service position created to oversee gender, which is fully funded and resourced.

<p>Ensure that the National Sustainable Development Strategy consider, in particular, the role of women in national development, including their participation in the political process, at all levels (Rec. 79/56, 79/58, 79/39, 79/80).</p>	<ul style="list-style-type: none"> • Review the implementation of the National Sustainable Development Strategy ensuring that the role of women is clear, with achievable targets for women’s involvement in the political process. • Examine barriers to women being represented in decision-making, and develop a strategy to address these barriers. • Support women in leadership programs and initiatives. • Review equal opportunity provisions in policies and legislation and examine whether temporary special measures or quotas need to be adopted. • Develop an action plan for the implementation of temporary special measures. 	<ul style="list-style-type: none"> • National Sustainable Development Strategy involves a plan to increase the role of women in decision making at all levels. • Increase in the number of women in leadership positions.
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THEMATIC AREA – Promotion and protection of human rights, education, and public awareness

Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Continue its efforts on the promotion and protection of human rights and main freedoms (particularly for children, women, young people and people with disabilities) (Rec. 79/35, 79/36, 79/37, 79/54).</p>	<ul style="list-style-type: none"> • # of village/community leaders and other community members trained in human rights, including international human rights standards, non-discrimination and gender. • Support human rights programs of civil society/NGOs. • Promote and develop awareness campaigns on citizen’s rights, and access to the formal justice system, as well as information on redress mechanisms. 	<ul style="list-style-type: none"> • Take measures to mainstream human rights into public education (including education and training of health workers, teachers, public officials, lawyers, justice officials etc.). • Human rights education institutionalised, with relevant curriculum in place. • Ongoing budget allocated for human rights education.

<p>Undertake education programmes on a human rights-based handling of asylum-seekers and refugees and build institutional capacity for the development of a national refugee status determination procedure (Rec. 79/94, 79/96) and promptly take effective measures to safeguard the rights of refugees and asylum-seekers, including not to let other countries violate the rights of refugees and asylum-seekers in the territory of Nauru (Rec. 79/95).</p>	<ul style="list-style-type: none"> · Educate government officials and law enforcement agencies on human rights, particularly the rights of asylum seekers and refugees. · Request assistance from the international community for the establishment of a processing body and advice on best practice. · Consider acceding to the 1951 Refugee Convention. · Ensure wide consultation and public awareness is completed before considering housing asylum seekers who are seeking asylum in Australia. 	<ul style="list-style-type: none"> · System established to provide protection for those seeking asylum, in line with international law. · 1951 Refugee Convention ratified.
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THEMATIC AREA – Treaty ratifications, treaty reporting and overall work with human rights mechanisms		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Consider ratification of core international human rights treaties and optional protocols (ICCPR, ICCPR-OP 1 and ICCPR-OP 2, ICESCR,³³² CRPD³³³ and OP-CRPD, ICERD³³⁴, CEDAW, OP-CEDAW, OP-CRC-AC, OP-CRC-SC, CAT, OP-CAT, 1951 Convention relating to the Status of Refugees and its 1967 Protocol, ILO fundamental conventions³³⁵, ICCPED³³⁶, UN Convention against Transnational Organised Crime, 1954 Convention relating to the Status of Stateless Persons, 1961 Convention of the Reduction of Statelessness, Rome Statute of the ICC,³³⁷ Convention on the Prevention and Punishment of the Crime of Genocide³³⁸) (Rec. 79/1, 79/2, 79/3, 79/4, 79/5, 79/6, 79/7, 79/8, 79/9, 79/10, 79/11, 79/12, 79/13, 79/14, 79/15, 79/16, 79/17, 79/18, 79/19, 79/20, 79/21, 79/22, 79/23, 79/24, 79/25, 79/26, 79/57, 79/62).</p>	<ul style="list-style-type: none"> · Create a timeline regarding treaty ratification. · # requests/correspondence/communication to OHCHR to assist the government to ratify international instruments. · Draft a cabinet paper on ratification of international instruments and the implications for national policy and legislation. · Parliamentary debates on the ratification of international instruments. · Conduct consultations of relevant stakeholders (including relevant ministries) on plans to sign and ratify international treaties and to discuss impacts. · Conduct human rights training for police, law enforcement officials, staff of government ministries and other relevant stakeholders on the impacts of treaty domestication. 	<ul style="list-style-type: none"> · International treaties and protocols signed and ratified by the government.

<p>Submit the initial report to the Committee on the Rights of the Child (Rec. 79/23, 79/50, 79/51); take steps towards meeting its obligations for timely submission of periodic reports (Rec. 79/49) develop a common core document which, in conjunction with a treaty-specific list of issues, will help to streamline treaty reporting (Rec. 79/52, 79/53); and seek technical assistance from the international community regarding international reporting obligations and the implementation of international commitments (Rec. 79/102).</p>	<ul style="list-style-type: none"> • Create a National Human Rights Coordination Group (made up of government and civil society) to coordinate all human rights treaty reporting. • Consider developing a common core document for all treaty reporting. • Consult with relevant stakeholders about the status of children's rights in Nauru. • # of police, law enforcement officials, staff of government ministries and other relevant stakeholders trained in children's rights. • # requests/correspondence to OHCHR, regional/international partners and treaty bodies regarding assistance with treaty reporting. 	<ul style="list-style-type: none"> • All reporting obligations to treaty bodies met. • # of stakeholder reports submitted through the treaty reporting process. • All domestic legislation harmonised with ratified international treaties. • Creation of a National Human Rights Coordination Group including a government/ civil service position to coordinate issues related to human rights (including reporting), which is fully funded and resourced. • Common core document developed and used for treaty reporting.
<p>With the assistance of OHCHR, move to speedily accede to all those human rights conventions to which it is currently a signatory (Rec. 79/27).³³⁹</p>	<ul style="list-style-type: none"> • # requests/correspondence to OHCHR to assist in acceding to human rights conventions. • Conduct a legislative and policy review/ gap analysis to identify areas that need amendment to comply with international human rights treaties. • Draft amendments in partnership with international/regional organisations. • Review the application of policies/practices to identify areas that may need amendment. • Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to existing legislation/policy. • Relevant Minister prepares Cabinet memo regarding proposed amendments. • Create a select committee to facilitate harmonisation of international law with domestic law. 	<ul style="list-style-type: none"> • Acceded to all human rights conventions to which Nauru is already a signatory. • Policy changes approved by Cabinet. • Amendments to legislation approved by Parliament.

<p>Consider opening, with international donor support, a small permanent mission in Geneva, using the facilities provided by the newly opened Commonwealth Small Island States office (Rec. 79/34).340</p>	<ul style="list-style-type: none"> • Seek assistance from regional/international partners to set up a permanent mission in Geneva. • # communications/requests sent to the Commonwealth Small Island States office regarding office support. • Review the advantages and disadvantages of setting up a small permanent mission in Geneva. 	<ul style="list-style-type: none"> • Options considered on whether to set up a permanent presence in Geneva.
<p>Consider extending a standing invitation to special procedures of the Human Rights Council and respond positively to requests for visits and information (Rec. 79/42, 79/43, 79/44, 79/45, 79/46, 79/47, 79/48).</p>	<ul style="list-style-type: none"> • Consult with relevant stakeholders (including relevant ministries) about extending a standing invitation to all human rights special procedures, and the consequences (e.g. financial). • Provide information to the public about human rights special procedures 	<ul style="list-style-type: none"> • Standing invitation extended to all human rights special procedures.
<p>Engage civil society in the follow-up of the UPR (Rec. 79/97); and seek to work in partnership with other Pacific Island States in order to join forces in addressing human rights issues (Rec. 79/98).</p>	<ul style="list-style-type: none"> • Publish an article/media release/hold a press conference on the UPR process and the impact it could have on improving human rights. • Create a UPR Task Force/Steering Committee (with relevant members from government and civil society) to coordinate a plan of action to implement accepted recommendations. • Ensure transparency in the process through publication of progress updates to media and relevant stakeholders. • Draw upon the knowledge and expertise of civil society to support the government in implementing recommendations. • # requests/communications to other PICs about partnering in addressing human rights. • Involvement in regional partnerships to address human rights issues. 	<ul style="list-style-type: none"> • Civil society is involved at all stages of follow up and implementation of recommendations from the review. • Regional partnerships to address human rights.

Palau

Date of 1st Round Review:	3 May 2011 (Third meeting of 11th session) ³⁴¹
Head of Delegation:	Hon. Mr. John C. Gibbons (Minister of Justice of Palau) ³⁴²
Number of Recommendations:	112 (83 accepted, 29 noted)
2nd Round Report Due:	26 October 2015
Date of 2nd Round Review:	24th session (January – February 2016)

In the lead up to Palau's UPR, a three member team from OHCHR, RRRT and the PIFS conducted national training for government, NGOs and civil society on the UPR process in August 2010. Following the training a government task force comprised of government directors, division chiefs, program managers and agency heads was established to prepare, consult, coordinate and submit the national report.³⁴³ A number of states commended Palau on the inclusion of civil society in the preparation of its report and questions were asked on Palau's plans to continue the consultation in the follow up to the review. Palau responded to say that:

It intended to engage in wide consultations with civil society on mapping out strategies for the dissemination and implementation of UPR recommendations ... [and] seek technical assistance from civil society and NGOs in implementing specific recommendations.³⁴⁴

Five stakeholders³⁴⁵ submitted reports to the HRC as part of the UPR process on a range of issues including the ratification of international human rights treaties, lack of a national human rights institution, VAW, corporal punishment, representation of women in key decision making positions and the protection of foreign worker rights.³⁴⁶

Following regional trends, the key human rights themes which emerged from the discussions were ratification and reporting on international treaties, establishment of a national human rights institution, gender discrimination, VAW, trafficking and the rights of children.

Ratification and Reporting on International Human Rights Treaties

Of the major international human rights treaties, Palau is only a state party to the CRC (ratified in 1995).³⁴⁷ See Annex 2 for a full list of treaties ratified and the status of past and current reports to treaty committees. On the 20 September 2011, Palau signed the ICESCR, ICCPR, CEDAW, ICERD, CRPD, CED, CAT and ICRMW which indicates a strong intention to proceed to ratification. As in many of the Pacific UPRs the ratification and reporting of international treaties was one of the most widely recommended topics with 29 recommendations³⁴⁸ made and eight states³⁴⁹ discussing it during the interactive dialogue. Much of the discussion centred around the provision of technical assistance to Palau to support it in meeting its human rights obligations.

Establishment of a Human Rights Institution

During the discussion, six states³⁵⁰ noted the lack of a NHRI and commended Palau on its efforts to create one. Ten recommendations were made regarding the establishment of a national human rights institution.³⁵¹ Palau responded that it intended to further the steps it had already taken on consultations on the possibility of establishing a NHRI, including holding nationwide consultations at the domestic level and translating international human rights treaties into local languages.³⁵²

Gender

This issue was the most widely discussed topic during the interactive dialogue with 12 states raising issues surrounding gender equality and women's rights.³⁵³ Many states noted the absence of specific legislation to address domestic violence and noted with concern, issues affecting the rights of women to live a life free from violence. Palau positively responded to these concerns by highlighting the progress made so far, including the pending *Family Protection Bill*, the joint efforts taken across ministerial departments to address domestic violence and the progressions made in women's access to education and employment.³⁵⁴ Nineteen recommendations were given.³⁵⁵

Children

A number of issues surrounding children's rights were discussed during the interactive dialogue with 15 states raising issues.³⁵⁶ The main issues raised included addressing child abuse, children living on the street, child nutrition and mortality, economic exploitation of children, child statelessness, and ensuring implementation of the Nation Plan of Action on Children. Twenty-two recommendations³⁵⁷ on children's rights were given to Palau. Palau stated that it had adopted several laws to protect the rights of the child and had empowered government officials to intervene in cases of child abuse and neglect.³⁵⁸

Trafficking

The issue of trafficking was raised by 10 states³⁵⁹ in the interactive discussion and five recommendations³⁶⁰ were received on the issue. Many of the states which mentioned the issue commended Palau for its efforts so far in addressing the problem of trafficking within the country and encouraged further action to locate victims and prosecute perpetrators. In response Palau stated that they currently had legislation in place specifically on trafficking, however challenges still remained regarding implementation.³⁶¹ The delegation also stated that the national government had recently set up a Human Trafficking Task Force Committee which was responsible for overseeing trafficking issues and processing complaints.³⁶²

Environment

Eight states³⁶³ discussed environmental issues during the review and from the discussion three recommendations³⁶⁴ were made in regards to mitigating the impacts of natural disasters and climate change. Member states expressed concern over the inability of Palau to adequately deal with the challenges of climate change and urged it to seek international assistance to strengthen its capacity in this area. In response, the delegation stated that the Office of Environmental Response and Coordination was established to oversee environmental issues and is the focal point for all international environment conventions and reporting.³⁶⁵

Country Indicator Table - Palau

THEMATIC AREA – Justice and Law Reforms		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
Review the legislation on the minimum age for criminal responsibility (Rec. 62/30, 62/31); and equalize the legal minimum age of marriage for girls and boys (Rec. 62/41).	<ul style="list-style-type: none"> Conduct a legislative and policy review/gap analysis to identify areas that need amendment. Draft amendments in partnership with international/regional organisations. Review the application of policies/practices to identify areas that may need amendment. Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to existing legislation/policy. Relevant Minister prepares Cabinet memo regarding proposed amendments. 	<ul style="list-style-type: none"> The minimum age for criminal responsibility is raised. The legal minimum age of marriage is the same for girls and boys. Policy changes approved by Cabinet. Amendments to legislation approved by Parliament.
Ensure human rights are afforded full legal protection in the Republic of Palau (Rec. 61/2).	<ul style="list-style-type: none"> Review all existing legislation and policy and ensure that all international human rights standards are incorporated. Amend legislation and policy as required. Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to existing legislation/policy. Relevant Minister prepares Cabinet memo regarding proposed amendments. 	<ul style="list-style-type: none"> All legislation harmonised with international human rights instruments. Policy changes approved by Cabinet. Amendments to legislation approved by Parliament.

THEMATIC AREA – Thematic Human Rights Issues (Prevention of torture, education, climate change, racism, disability)		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Increase its efforts aimed at the incorporation of the CRC provisions and principles into the domestic legal system (Rec. 61/1); implement the National Action Plan for Children (Rec. 61/16); intensify efforts to establish an Ombudsman for Children to deal with complaints of violations of the rights of the child, particularly those related to child exploitation and sexual violence (Rec. 61/14, 61/39); and establish policies, programmes and services to provide children with greater protection and care including exploitation through electronic images/videos etc. (Rec. 61/17, 61/23, 61/40, 61/41, 61/42, 62/34, 62/35).</p>	<ul style="list-style-type: none"> · Review current legislation and policy to ensure the protection of children’s rights and if necessary draft specific legislation to specifically address these issues. · Conduct consultations with relevant stakeholders (including relevant ministries) to discuss drafting legislation/policy. · Relevant Minister prepares Cabinet memo regarding proposed legislation. · Educate police and law enforcement officials on child rights. · Progress implementation of the National Action Plan for Children, and monitor and evaluate progress so far. · Establish a timeline and pathway for the appointment of an Ombudsman for Children. 	<ul style="list-style-type: none"> · All legislation and policy harmonised with the CRC. · National Action Plan for Children implemented. · Ombudsman for Children established. · Programmes and services established to provide children with greater protection and care, which are fully funded and resourced. · Legislation approved by Parliament, including for the appointment of an Ombudsman for children.

<p>Combat human trafficking (focusing on children) (Rec. 61/38); improve the situation of migrant workers (Rec. 61/15, 61/36, 61/53, 61/54, 61/55, 61/56); and take measures to protect victims of trafficking by providing shelters and facilitate the process in order for victims to be witnesses against traffickers in court (Rec. 61/37).</p>	<ul style="list-style-type: none"> · Implement and enforce the <i>Anti-Trafficking and Smuggling Act 2005</i>. · Review legislation and policy regarding migrant workers and foreign nationals and ensure protection from discrimination, and their right to a safe workplace. · Adjust minimum wage requirements to include foreign workers. · Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amending legislation/policy. · Relevant Minister prepares Cabinet memo regarding amendments to existing legislation. · Pursue and prosecute offences committed against foreign nationals. · Review current support services for survivors of trafficking. 	<ul style="list-style-type: none"> · Fairer work conditions for migrant workers established and enforced. · Reduction in discriminatory practices against migrant workers and foreign nationals. · Legislation amended to ensure protection for migrant workers. · Anti-trafficking legislation implemented and enforced. · Amendments to existing legislation approved by Parliament. · Quality support services for survivors of trafficking in place.
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<p>Promote and protect vulnerable persons and continue with its efforts to develop a national policy for the benefit of persons with disabilities (Rec. 61/18); and promote and protect the rights of persons with disabilities by, among others, involving persons with disabilities in all phases of ratification of the CRPD and the Palau National Policy on Disability, and ensuring access to education as well as an inclusive education system at all levels for children with disabilities (Rec. 61/22, Rec. 61/52).</p>	<ul style="list-style-type: none"> · Review existing development plans and programs and ensure disability is incorporated. · Support the work of organisations working with persons with disabilities and ensure their ongoing operation. · Establish a National Disabilities Taskforce, and regularly monitor its progress in implementing the National Policy. · Engage with civil society organisations working on disability and map services and gaps to identify strategic areas where government can assist. · Consult with persons with disabilities, civil society and relevant ministries about the ratification of CRPD and the implications for national legislation, policy and program implementation. · Produce/commission policy papers on areas affecting people living with disabilities including employment, equal opportunities, physical and urban planning, sport, youth and health. · Conduct nationwide assessment of people living with disabilities collecting information on sex, age, disability, access to services (health, education etc.) and how to improve quality of life. · Collate information and analyse common themes, and utilise information to create and implement policy. · Develop specific policies and action plans on access to education for children with disabilities and assess the need for additional schools and services for children with disabilities. 	<ul style="list-style-type: none"> · Disability incorporated into all development plans and programs. · National Policy on Disability drafted, enacted and implemented. · Specific legislation developed and enacted on the rights of persons with disabilities. · Database on disability in Palau informing policy, legislation and planning. · Persons with disabilities engaged in the process to ratify the CRPD. · Government/civil service position created to oversee disability, which is fully funded and resourced.
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<p>Prohibit and eliminate all forms of corporal punishment (Rec. 61/43); and conduct awareness campaigns to reduce the scope of this action (Rec. 61/44, 61/45).</p>	<ul style="list-style-type: none"> · Conduct review of all relevant policy and legislation and ensure provisions exist which outlaw corporal punishment in both public and private. · Draft amendments in partnership with international/regional organisations. · Review the application of policies/practices to identify areas that may need amendment. · Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to existing legislation/policy. · Relevant Minister prepares Cabinet memo regarding proposed amendments. · Ensure comprehensive awareness raising of the prohibition of all corporal punishment and other inhuman or degrading treatment and humiliation of children. · Ensure comprehensive awareness raising of children's rights amongst communities, families, police, government officials and legal professionals. 	<ul style="list-style-type: none"> · Ban enforced on corporal punishment in public institutions and in private homes. · Decrease in incidents of corporal punishment in public and private. · Policy changes approved by Cabinet. · Amendments to legislation approved by Parliament.
<p>Establish mechanisms ensuring that street children are provided with clothing, housing, health and educational services (Rec. 61/46).</p>	<ul style="list-style-type: none"> · Examine current service provision for children living on the street, and support existing services to operate or consider setting up additional services. · Set up referral pathways for children living on the street to access housing, education, health and to fulfil basic needs. · Educate police and law enforcement agencies on child rights and ensure pathways to services are utilised. · Review and address the underlying problems which lead to children living on the street, and develop prevention policies. 	<ul style="list-style-type: none"> · Children living on the street have access to basic services and support. · Decrease in the number of children living on the street.

<p>Continue to implement its socio-economic development strategies and plans for the country (Rec. 61/50); continue to implement programs and measures to move forward in the achievement of the MDGs between now and 2015 (Rec. 61/51); and pursue its efforts aiming to ensure food security and formulate its specific international cooperation and technical assistance requests to this end (Rec. 61/49).</p>	<ul style="list-style-type: none"> · Assess current access to services especially for those living in rural and remote areas. · Develop a plan for implementation of essential services in consultation with communities, key stakeholders and implementing agencies. · Request funding and technical assistance from development partners/donors to improve service delivery. · Monitor and evaluate implementation of development policies, strategies and plans in consultation with relevant stakeholders. · # communications/requests for financial and technical assistance from the relevant UN bodies and regional/international organisations. · Develop and fund initiatives aimed at reducing Palau's dependency on imported food, including food diversification, increasing access to markets etc. · Revise policies on the operation of local and foreign investors to encourage increased investment in Palau. 	<ul style="list-style-type: none"> · Access to adequate water, sanitation, education, health and essential services for all, which are fully funded and resourced. · Improvements in essential services for those living in both urban and rural areas. · Improvements in key development indicators including MDGs.
<p>Draw up a plan to manage and mitigate natural disasters together with the regional mechanisms and the United Nations, taking into account the possible large-scale internal and international displacement of population (Rec. 61/57).</p>	<ul style="list-style-type: none"> · Review implementation of the <i>National Disaster Risk Management Framework 2010</i> and monitor progress against its implementation. · Strengthen existing national disaster management structures and ensure adequate funding and support is provided. 	<ul style="list-style-type: none"> · Plan to manage and mitigate natural disasters in place.

<p>Strengthen its technical cooperation with relevant agencies and stakeholders in order to prevent the adverse impact of climate change on its promotion and protection of human rights (Rec. 61/58, Rec. 61/59).</p>	<ul style="list-style-type: none"> · # of awareness activities/workshops for communities and officials on climate change including its connection to human rights, its consequences, as well as mitigation and adaptation planning. · Involve communities and officials in climate change planning and advocacy. · # of climate change related international meetings attended and contributed to. · Prepare national climate change and sustainable development policies. · Correspondence and discussions with parties to the UN Framework Convention on Climate Change. 	<ul style="list-style-type: none"> · Communities engaged in climate change mitigation and adaptation processes. · Regular engagement with the international community on climate change, including promotion of international cooperation. · Participated fully in HRC discussions on human rights and climate change. · Other parties to the UN Framework Convention on Climate Change lobbied to reach a global agreement on climate change. · Number of fully funded projects implemented on climate change. · Adopt a rights based approach to tackling the effects of climate change.
<p>Revise the status of children born of foreign parents in accordance with relevant international standards (Rec. 62/29).³⁶⁶</p>	<ul style="list-style-type: none"> · Review the legislation and policy regarding the status of children born of foreign parents, in consultation with relevant stakeholders. · Relevant Minister prepares Cabinet memo regarding proposed amendments. 	<ul style="list-style-type: none"> · Legislation and government policy in line with relevant international standards. · Policy changes approved by Cabinet. · Amendments to legislation approved by Parliament.
<p>Enact legislation to prevent child labour and protect children from commercial sexual exploitation (Rec. 62/36); and seek the assistance of the ILO to combat child labour (Rec. 62/37).</p>	<ul style="list-style-type: none"> · Review current legislation and policies to ensure the protection of children's rights and if necessary draft legislation to specifically address these issues. · Conduct consultations with relevant stakeholders (including relevant ministries) to discuss drafting legislation/policy. · Relevant Minister prepares Cabinet memo regarding proposed legislation. · # communications/requests to ILO for assistance to combat child labour. 	<ul style="list-style-type: none"> · Legislation enacted on child labour and commercial sexual exploitation of children.

<p>Confirm its commitment to non-discrimination by decriminalizing sexual relations between consenting adults of the same sex and by repealing the discriminatory provisions against LGBT persons (Rec. 62/38, 62/39, 62/40).</p>	<ul style="list-style-type: none"> · Review existing legislation and policy with relevant stakeholders to examine the possibility of repealing discriminatory provisions against LGBT persons. · Conduct consultations with relevant stakeholders (including relevant members of civil society) to discuss amending legislation/policy. · Relevant Minister prepares Cabinet memo regarding amended legislation. 	<ul style="list-style-type: none"> · Sexual relations between consenting adults of the same sex decriminalised. · Legislation approved by Parliament.
<p>Establish a more formal system to provide protection for refugees and asylum-seekers (Rec. 62/42).</p>	<ul style="list-style-type: none"> · Examine the possibility of establishing a more formal system to protect refugees and asylum seekers in consultation with relevant stakeholders. · Establish body to process asylum seeker claims. · Request assistance from the international community for the establishment of a processing body and advice on best practice. 	<ul style="list-style-type: none"> · System established to provide protection for those seeking asylum, in line with international law. · Process all claims for asylum expediently.

THEMATIC AREA – National and Regional Human Rights Institutions

Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Establish a national human rights institution in accordance with the Paris Principles (Rec. 61/5, 61/6, 61/7, 61/8, 61/9, 61/10, 61/11, 61/12, 61/13).</p>	<ul style="list-style-type: none"> · Conduct/attend consultations of relevant stakeholders on what regional and national human rights mechanisms are, the benefits and challenges, and the impacts of establishing one. · # communications/requests sent to regional/international bodies to help with establishment. · Draft a policy paper on the creation of a national or regional human rights institution. · Establish a timeline and pathway for establishment. · Create a select committee/WG to facilitate establishment. · Support PIFS Working Group on a Regional Human Rights Mechanism. 	<ul style="list-style-type: none"> · National/regional human rights institution established in accordance with the Paris Principles.³⁶⁷ · Enact legislation to create a national human rights institution or support the establishment of a regional body.

THEMATIC AREA – Gender Equality		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Revise existing laws identified in its national report as being discriminatory against women (Rec. 61/21); and immediately criminalize rape within marriage and give men and women equal rights of inheritance (Rec. 61/3, 61/4, 61/25).</p>	<ul style="list-style-type: none"> · Conduct a review/gap analysis to identify areas that need amendment. · Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to the Constitution, legislation and government policy. · Conduct consultations with specific gender related stakeholders. · Conduct scoping/surveys to gather information and statistics on women’s human rights issues (VAW, women in parliament, girls in school etc.). · Conduct gender training with stakeholders including government, the judiciary, and the police. 	<ul style="list-style-type: none"> · All discriminatory provisions in the Constitution, legislation and policy eliminated. · Rape within marriage is criminalised. · Men and women have equal rights of inheritance. · Amendments to the Constitution/legislation/ policy approved by Parliament. · Government/civil service position created to oversee gender, which is fully funded and resourced.

<p>Consider adopting national legislative measures to ensure gender equality, as stipulated in its Constitution, and to combat and eliminate violence against women (Rec. 61/24, 61/26, 61/28, 61/29, 61/30, 61/31, 61/33, 61/34, 61/35, 61/42) including ensuring that complaints are properly investigated and that perpetrators are prosecuted and convicted (Rec. 61/32); establish training mechanisms on violence against women for police officers, lawyers and judges (Rec. 61/26); consider establishing shelters for victims of domestic violence and reinforce efforts to prevent and combat child abuse, including measures to assist in recovery and reintegration (Rec. 61/27).</p>	<ul style="list-style-type: none"> · Draft national policy on women's equality and elimination of VAW. · Conduct human rights education workshops on VAW for civil servants, including police, legal service agencies and communities. · Hold consultations with relevant stakeholders (including relevant ministries) on the development of VAW legislation. · Draft legislation in partnership with international/regional organisations. · Review the application of policies/practices to identify areas that may need amendment with the introduction of VAW legislation. · Relevant Minister prepares Cabinet memo regarding proposed VAW legislation. · Conduct consultations with relevant stakeholders about establishing shelters for victims of domestic violence and child abuse. · Implementation of mechanisms to support gender equality – i.e. gender responsive budgeting, temporary special measures. · Conduct VAW training with stakeholders including government, the judiciary, and the police. 	<ul style="list-style-type: none"> · Strategy for reduction of VAW in Palau developed, implemented and fully funded. · Legislation and policies on VAW enacted. · Services for survivors of domestic violence and child abuse established.
<p>Take steps to increase the number of women in decision-making positions (Rec. 61/47, 61/48).</p>	<ul style="list-style-type: none"> · Examine barriers to women being represented in decision-making, and develop a strategy to address these barriers. · Support women in leadership programs and initiatives. · Review equal opportunity provisions in policies and legislation and examine whether temporary special measures or quotas need to be adopted. · Develop an action plan for the implementation of temporary special measures. 	<ul style="list-style-type: none"> · Adoption of relevant temporary special measures in policy and legislation. · Increase in the number of women in leadership positions.

THEMATIC AREA – Promotion and protection of human rights, education, and public awareness		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
Accelerate efforts aimed at raising awareness and education among the general population on human rights, particularly on the rights of women, children and disabled persons (Rec. 61/19).	<ul style="list-style-type: none"> • # of village/community leaders and other community members trained in human rights, including international human rights standards, non-discrimination and gender. • Support human rights programs of civil society/NGOs. • Promote and develop awareness campaigns on citizen's rights, and access to the formal justice system, as well as information on redress mechanisms. 	<ul style="list-style-type: none"> • Take measures to mainstream human rights into public education (including education and training of health workers, teachers, public officials, lawyers, justice officials etc.). • Human rights education institutionalised, with relevant curriculum in place. • Ongoing budget allocated for human rights education.
THEMATIC AREA – Treaty ratifications, treaty reporting and overall work with human rights mechanisms		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
Extend a standing invitation to special procedures mandate holders as a way of informing and supporting human rights reforms (Rec. 60/1, 60/2, 60/3).	<ul style="list-style-type: none"> • Consult with relevant stakeholders (including relevant ministries) about extending a standing invitation to all human rights special procedures, and the consequences (e.g. financial). • Provide information to the public about human rights special procedures. 	<ul style="list-style-type: none"> • Standing invitation extended to all human rights special procedures.
Engage civil society in the UPR follow-up process (Rec. 60/5).	<ul style="list-style-type: none"> • Publish an article/media release/ hold a press conference on the UPR process and the impact it could have on improving human rights. • Create a UPR Task Force/ Steering Committee (with relevant members from government and civil society) to coordinate a plan of action to implement accepted recommendations. • Ensure transparency in the process through publication of progress updates to media and relevant stakeholders. • Draw upon the knowledge and expertise of civil society to support the government in implementing recommendations. 	<ul style="list-style-type: none"> • Civil society is involved at all stages of follow up and implementation of recommendations from the review.

<p>Consider identifying a priority list of issues and areas of requirements needed in the field of technical assistance and capacity-building and to approach the relevant partners at the multilateral or bilateral levels (Rec. 60/4).</p>	<ul style="list-style-type: none"> · Consult with relevant stakeholders (government, civil society and communities) to identify and prioritise areas of technical assistance and capacity building. · # requests/communications made to regional and international partners regarding technical capacity building. 	<ul style="list-style-type: none"> · List of areas prioritised and relevant partners approached.
<p>Meet its reporting obligations under the CRC (Rec. 61/20).</p>	<ul style="list-style-type: none"> · Create a National Human Rights Coordination Group (made up of government and civil society) to coordinate all human rights treaty reporting. · Consider developing a common core document for all treaty reporting. · Consult with relevant stakeholders about the status of children's rights in Palau. · # of police, law enforcement officials, staff of government ministries and other relevant stakeholders trained in children's rights. · Consider ratifying the Optional Protocols to the CRC. · # requests/correspondence to OHCHR, regional/international partners and treaty bodies regarding assistance with treaty reporting. 	<ul style="list-style-type: none"> · All reporting obligations to the Committee on the Rights of the Child met. · All domestic legislation harmonised with the CRC. · # of stakeholder reports submitted through the treaty reporting process. · Creation of a National Human Rights Coordination Group including a government/civil service position to coordinate issues related to human rights (including reporting), which is fully funded and resourced. · Common core document developed and used for treaty reporting.

<p>Consider ratification of core international human rights treaties and optional protocols (ICESCR,³⁶⁸ ICCPR,³⁶⁹ CEDAW,³⁷⁰ ICERD,³⁷¹ CAT,³⁷² OP-CAT,³⁷³ OP-CRC-AC, OP-CRC-SC, CRPD, CED,³⁷⁴ 1951 Convention on the Status of Refugees, its 1967 Protocol, 1954 Convention relating to the Status of Stateless Persons, 1961 Convention on the Reduction of Statelessness,³⁷⁵ Convention against Transnational Organised Crime and its Palermo Protocol³⁷⁶) (Rec. 62/1, 62/2, 62/3, 62/4, 62/5, 62.6, 62/7, 62/8, 62/9, 62/10, 62/11, 62/12, 62/13, 62/14, 62/15, 62/16, 62/17, 62/18, 62/19, 62/20, 62/21, 62/22, 62/23, 62/24, 62/25, 62/26, 62/27, 62/28, 62/33).</p>	<ul style="list-style-type: none"> · Create a timeline regarding treaty ratification. · # requests/correspondence/ communication to OHCHR to assist the government to ratify international instruments. · Draft a cabinet paper on ratification of international instruments and the implications for national policy and legislation. · Parliamentary debates on the ratification of international instruments. · Conduct consultations of relevant stakeholders (including relevant ministries) on plans to sign and ratify international treaties and to discuss impacts. · Conduct human rights training for police, law enforcement officials, staff of government ministries and other relevant stakeholders on the impacts of treaty domestication. 	<ul style="list-style-type: none"> · International treaties and protocols signed and ratified by the government.
<p>Circulate and implement the recently adopted rules on the treatment of women prisoners and non-custodial measures for women offenders, otherwise known as the Bangkok Rules, and seek necessary support from such relevant agencies as UNODC and OHCHR (Rec. 62/32).³⁷⁷</p>	<ul style="list-style-type: none"> · Raise awareness of the Bangkok rules amongst government officials, law enforcement personnel and the community. · Provide training for police and correctional services on the Bangkok rules. · Investigate thoroughly any allegations of mistreatment of female prisoners, and bring perpetrators to account. · # requests/correspondence with United Nations Office on Drugs and Crime (UNODC) and OHCHR about technical and financial assistance to implement the Bangkok rules. 	<ul style="list-style-type: none"> · Bangkok Rules implemented in Palau.

Solomon Islands

Date of 1st Round Review:	4 May 2011 (Sixth meeting of 11th session) ³⁷⁸
Head of Delegation:	H.E. Peter Shanel Agovaka, Minister for Foreign Affairs and External Trade ³⁷⁹
Number of Recommendations:	115 (112 accepted, three rejected)
2nd Round Report Due:	26 October 2015
Date of 2nd Round Review:	24th session (January – February 2016)

The United Nations and Treaties branch of the Ministry for Foreign Affairs was responsible for coordinating the consultations and preparation of the report for the UPR.³⁸⁰ An inter-ministry group was formed, the Solomon Islands national UPR working group, which held a number of events, trainings and meetings to enhance the capacity in the government and non-government sectors in human rights and the UPR process, as well as assisting groups to compile their UPR reports. A training session for government and civil society was held jointly by RRRT, PIFS and OHCHR to assist in the preparation of high quality reporting.³⁸¹ Nine civil society organisations³⁸² submitted stakeholder reports to the HRC as part of the UPR process. The combined report focused on the establishment of a NHRI, gender equality, VAW, corporal punishment, issues arising from ‘the tensions’, access to water, sanitation and housing, free compulsory education, services for people with disabilities and issues associated with logging.³⁸³

A number of key human rights issues were raised during the interactive dialogue by member states which were also reflected in the recommendations made. These issues included: gender equality and VAW, children’s rights, the establishment of a NHRI, and the ratification and reporting against international human rights treaties.

Establishment of a Human Rights Institution

Four states³⁸⁴ mentioned the establishment of a human rights institution during the interactive dialogue, with seven recommendations made.³⁸⁵ The delegation stated that the Solomon Islands was open to establishing such an institution however was waiting on the draft Federal Constitution to be passed before committing.³⁸⁶

Gender

Gender equality, discrimination and VAW were the most widely discussed issues during the interactive dialogue, with the majority of recommendations being given on these issues. Eighteen states³⁸⁷ discussed issues related to gender equality and VAW during the interactive dialogue including the practice of bride price, gender-based violence, judicial redress for female victims, forced prostitution, and the lack of rehabilitation services for victims of violence. A summary of progress against the *National Policy on Eliminating Violence against Women* and the *National Gender Equality and Women’s Development Policy* was also requested. Thirty-four recommendations were given on issues related to gender equality and VAW.³⁸⁸ The recommendations included adopting legislation criminalising VAW, repealing discriminatory laws against women, ensuring the greater participation and representation of women in public life and implementing existing policies on the rights of women. The delegation stated that a number of significant steps had been taken in enshrining the rights of women into legislation and policy, and implementation was ongoing.³⁸⁹

Children

Sixteen states³⁹⁰ spoke about various issues related to children's rights during the interactive dialogue and 31 recommendations were given.³⁹¹ The issues raised included high rates of child abuse and violence, child labour and exploitation, forced prostitution and domestic servitude, corporal punishment in the home and in schools, trafficking, the low age of criminal responsibility and employment, access to free and compulsory education, and a lack of services for children who have suffered abuse. The delegation responded that they were currently reviewing the minimum age of criminal responsibility, corporal punishment, and the current prostitution and trafficking laws through the Law Reform Commission.³⁹²

Ratification and Reporting on International Human Rights Treaties

The ratification and reporting on international human rights treaties was only briefly mentioned in the interactive dialogue, however 20 recommendations were given on the issue.³⁹³ The Solomon Islands is currently a state party to the ICERD, ICESCR, CEDAW, OP-CEDAW and the CRC.³⁹⁴ See Annex 2 for a full list of treaties ratified and the status of past and current reports to treaty committees. The recommendations given were in regard to becoming a state party to ICCPR-OP 1, ICCPR-OP 2, CAT, OP-CAT, OP-CRC-AC, OP-CRC-SC, ICRMW, CRPD, OP-CRPD, CED and OP-ICESCR. All recommendations given on the ratification of international human rights treaties and agreements were accepted.

Country Indicator Table - Solomon Islands

THEMATIC AREA – Justice and Law Reforms		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Ensure that international human rights instruments' obligations are incorporated into domestic laws (Rec. 81/18); develop explicit legislation implementing the provisions of the CEDAW (Rec. 80/24) and take the necessary steps to codify in national laws obligations subscribed to in the Convention on the Rights of the Child (Rec. 80/13, 80/14).</p>	<ul style="list-style-type: none"> Conduct a legislative and policy review/gap analysis to identify areas that need amendment. Draft amendments in partnership with international/regional organisations. Review the application of policies/practices to identify areas that may need amendment. Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to existing legislation/policy. Relevant Minister prepares Cabinet memo regarding proposed amendments. Create a select committee to facilitate harmonization of international law with domestic law. 	<ul style="list-style-type: none"> All legislation harmonised with international human rights instruments. All discriminatory provisions in legislation eliminated. Policy changes approved by Cabinet. Amendments to legislation approved by Parliament.
<p>Enact legislation providing for public access to Government Information (Rec. 81/20); pass a law to criminalize all forms of human trafficking (Rec. 81/19); adopt legislation to legally prohibit corporal punishment of children (Rec. 80/15, 80/31).</p>	<ul style="list-style-type: none"> Conduct a legislative and policy review/gap analysis to identify areas that need specific legislation. Draft legislation in partnership with international/regional organisations. Review the application of policies/practices to identify areas that may need amendment. Conduct consultations with relevant stakeholders (including relevant ministries) to discuss legislation/policy. Relevant Minister prepares Cabinet memo regarding proposed legislation. 	<ul style="list-style-type: none"> Legislation on FOI, human trafficking and corporal punishment enacted. Policy changes approved by Cabinet. Legislation approved by Parliament.

<p>Give strong priority, as part of the process of judicial reform, to the work of the Law Reform Commission on strengthening the traditional local courts in relation to human rights and constitutional guarantees (Rec. 81/46); and provide greater resources to its court system to reduce pretrial detention (Rec. 81/44).</p>	<ul style="list-style-type: none"> · Provide training for judges, lawyers, magistrates and court officials on human rights (in particular local courts). · Request regional/international support to strengthen the judiciary. · Support the ongoing work of the Law Reform Commission. 	<ul style="list-style-type: none"> · Increased funding for the court system. · Number of local court officials trained in human rights. · International standards on pre-trial detention complied with.³⁹⁵
<p>Review the legislation on the minimum ages for criminal responsibility and for employment (Rec. 80/16, 80/17, 80/19, 80/20, 80/21, 80/22, 81/22) and ensure that all children up to the age of 18 years can benefit from the protection of the juvenile justice system (Rec. 80/18, 80/23, 80/33); and amend domestic legislation so that the minimum age for marriage is set at 18 years (Rec. 80/2).</p>	<ul style="list-style-type: none"> · Conduct a legislative and policy review/gap analysis of the <i>Penal Code</i> to identify areas that need amendment. · Draft amendments in partnership with international/regional organisations. · Review the application of policies/practices to identify areas that may need amendment. · Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to existing legislation/policy. · Relevant Minister prepares Cabinet memo regarding proposed amendments. 	<ul style="list-style-type: none"> · <i>Penal Code</i> in line with CRC regarding the minimum age for criminal responsibility. · Policy changes approved by Cabinet. · Amendments to legislation approved by Parliament.

THEMATIC AREA – Thematic Human Rights Issues (Prevention of torture, education, climate change, racism, disability)		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Adopt a national plan of action against sexual exploitation of children and against child labour (Rec. 80/33, 80/34, 80/36) enhance protection of children from abuse, child labour including prostitution and child pornography (Rec. 80/32, 81/40, 81/41, 81/45); conduct a comprehensive study on child abuse, including sexual abuse, and child labour, with a view to identifying enhanced protection measures and ensuring the provision of adequate resources for their implementation (Rec. 81/39).</p>	<ul style="list-style-type: none"> Develop a national policy and plan of action for children, specifically addressing child protection. Draft specific laws to protect children from violence in partnership with international/regional organisations. Review the application of policies/practices to identify areas that may need to be included. Conduct consultations with relevant stakeholders (including relevant ministries) to discuss drafting legislation/policy. Relevant Minister prepares Cabinet memo regarding proposed legislation. Educate police and law enforcement officials on child rights. Consult with civil society to ensure services are available to child victims and fill gaps as required. 	<ul style="list-style-type: none"> National policy and plan of action on child protection adopted. Legislation enacted and national policies in line with the CRC. Perpetrators of abuse, child labour, and child exploitation prosecuted. Services available for child victims.
<p>Guarantee the registration of all girls and boys at birth in Solomon Islands; as well as for those persons who have not been registered at birth (Rec. 80/37, 81/48).</p>	<ul style="list-style-type: none"> Ensure policies on birth registration are enforced. Monitor numbers of births registered to map trends. Ensure the ongoing management of a central database to ensure adequate recording, transmission, backup and safe keeping of data, as well as procedures to protect the privacy of this information. Train service providers at the community level to undertake birth registration activities. Ensure the provision of essential supplies and training in procedures for registration e.g. correct forms, submission guidelines. 	<ul style="list-style-type: none"> Increase in the number of children registered at birth and those previously unregistered.

<p>Repeal all provisions that criminalize sexual activity between consenting adults in conformity with international obligations (Rec. 80/38).</p>	<ul style="list-style-type: none"> • Review existing legislation and policy with relevant stakeholders to examine the possibility of repealing discriminatory provisions. • Conduct consultations with relevant stakeholders (including relevant members of civil society) to discuss amending legislation/policy. • Relevant Minister prepares Cabinet memo regarding amended legislation. 	<ul style="list-style-type: none"> • Sexual relations between consenting adults decriminalised in conformity with international obligations.
<p>Encourage further strengthening of the electoral system, particularly through improving the integrity of voter registration (Rec. 80/39).</p>	<ul style="list-style-type: none"> • Request assistance from regional/ international organisations to assist in strengthening the electoral system. • Increase funding for the monitoring of elections. 	<ul style="list-style-type: none"> • Electoral system strengthened in accordance with international standards. • Free and fair elections held.³⁹⁶
<p>Continue to work, with development partners, towards compulsory basic education for all children, building on the progress and reforms to date (Rec. 80/47, 80/48); including implementing measures to ensure girl's and women's access to all levels of education (Rec. 80/49, 81/56, 81/57, 81/58).</p>	<ul style="list-style-type: none"> • Conduct research into the situation of children in the Solomon Islands, including why children are not accessing education. • Develop an action plan based on the issues raised with parents, communities, and relevant stakeholders. • Support the education department to measure and report changes in attendance, drop outs, quality of teaching and infrastructure on a regular basis. • Support communities, parents and children to raise awareness on the importance of education. • Address barriers to children accessing free education. • Address reasons why children are dropping out of school, especially girls. 	<ul style="list-style-type: none"> • Reduction in barriers to children accessing and attending education. • Increase in school attendance and reduction in drop outs. • Education is free and compulsory.

<p>Enact law or national policy to ensure the protection and care of persons with disabilities (Rec. 81/14, 81/15); develop public awareness campaigns about the rights and participation of persons with disabilities (Rec. 81/13) and provide equal access to education, health, housing and justice services, and engaging persons with disabilities in the policymaking process (Rec. 81/30, 81/31, 81/32, 81/58).</p>	<ul style="list-style-type: none"> • Review existing development plans and programs and ensure disability is incorporated. • Support the work of organisations working with persons with disabilities and ensure their ongoing operation. • Draft a National Policy and Action Plan on disability and ensure it is clear and affordable. • Establish a National Disabilities Taskforce, and regularly monitor its progress in implementing the National Policy. • Engage with civil society organisations working on disability and map services and gaps to identify strategic areas where government can assist. • Set up a committee to oversee implementation of the policy and drafting/ amendment of legislation including members of relevant government ministries and civil society. • Consult with persons with disabilities, civil society and relevant ministries about the ratification of CRPD and the implications for national legislation, policy and program implementation. • Produce/commission policy papers on areas affecting persons with disabilities including employment, equal opportunities, physical and urban planning, sport, youth and health. • Conduct nationwide assessment of persons with disabilities collecting information on sex, age, disability, access to services (health, education etc.) and how to improve quality of life. • Collate information and analyse common themes, and utilise information to create and implement policy. • Develop specific policy and action plan on access to education for children with disabilities and assess the need for additional schools and services for children with disabilities. 	<ul style="list-style-type: none"> • National Policy on Disability implemented. • Specific legislation enacted on the rights of persons with disabilities, and all discriminatory provisions in existing legislation removed. • Database on disability in the Solomon Islands informing policy, legislation and planning. • Persons with disabilities engaged in the process to ratify the CRPD. • Government/civil service position created to oversee disability which is fully funded and resourced.
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<p>Adopt measures to mitigate climate change risks (Rec. 81/34); continue its admirable international efforts to tackle global warming, including by reminding developed countries and major emitting States of their obligation to help promote and protect human rights in Solomon Islands by reducing greenhouse gas emissions to safe levels (Rec. 81/36).</p>	<ul style="list-style-type: none"> • Involve communities and officials in climate change planning and advocacy. • # of climate change related international meetings attended and contributed to. • Prepare national climate change and sustainable development policies. • Correspondence and discussions with parties to the UN Framework Convention on Climate Change. 	<ul style="list-style-type: none"> • Regular engagement with the international community on climate change, including promotion of international cooperation. • Participated fully in HRC discussions on human rights and climate change. • Other parties to the UN Framework Convention on Climate Change lobbied to reach a global agreement on climate change. • Adopt a rights based approach to tackling the effects of climate change.
<p>Take all necessary measures so that the Truth and Reconciliation Commission can work efficiently, in particular by ensuring that it has the full cooperation of the authorities at all levels, and the necessary financial resources to carry out its mandate (Rec. 81/42, 81/43).</p>	<ul style="list-style-type: none"> • Educate officials at all levels about the Truth and Reconciliation Commission, and encourage full participation and cooperation. • Provide sufficient funding to the Truth and Reconciliation Commission. • Raise public awareness including increasing public statements in support of the Truth and Reconciliation Commission, to increase community support. 	<ul style="list-style-type: none"> • Truth and Reconciliation Commission functioning efficiently.
<p>Take the necessary measures to ensure a supply of water of good quality to all informal settlements including the provision of water tanks (Rec. 81/54).</p>	<ul style="list-style-type: none"> • Work with communities to identify their needs. • Prioritise the provision of water to informal settlements. • Work with relevant civil society organisations already working in informal settlements. 	<ul style="list-style-type: none"> • Water supplied to informal settlements.

<p>Increase enforcement of its occupational and safety laws (Rec. 81/55).</p>	<ul style="list-style-type: none"> • Review existing occupational and safety laws and current enforcement provisions and practices. • Conduct a legislative and policy review/ gap analysis to identify areas that need amendment. • Draft amendments in partnership with international/regional organisations. • Review the application of policies/practices to identify areas that may need amendment. • Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to existing legislation/ policy. • Relevant Minister prepares Cabinet memo regarding proposed amendments. 	<ul style="list-style-type: none"> • Enforcement provisions of occupational health and safety laws in place and effectively functioning. • Policy changes approved by Cabinet. • Amendments in legislation approved by Parliament.
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THEMATIC AREA – National and Regional Human Rights Institutions

Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Establish a national human rights institution in accordance with the Paris Principles (Rec. 79/1, 79/2, 79/3, 79/4, 79/5, 79/6, 79/7).</p>	<ul style="list-style-type: none"> • Conduct/attend consultations of relevant stakeholders on what regional and national human rights mechanisms are, the benefits and challenges, and the impacts of establishing one. • # communications/requests sent to regional/international bodies to help with establishment. • Draft a policy paper on the creation of a national or regional human rights institution. • Establish a timeline and pathway for establishment. • Create a select committee/WG to facilitate establishment. • Support PIFS Working Group on a Regional Human Rights Mechanism. 	<ul style="list-style-type: none"> • National/regional human rights institution established in accordance with the Paris Principles.³⁹⁷ • Enact legislation to create a national human rights institution or support the establishment of a regional body.

THEMATIC AREA – Gender Equality		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Strengthen its efforts to modify or repeal existing laws and regulations that discriminate against women and girls (including equal rights in relation to property, inheritance and custody of children) (Rec. 80/1, 80/25, 80/28, 81/21, 81/24) and take the necessary steps to change traditional customs and patriarchal practices that violate the human rights of girls and women (Rec. 80/26).</p>	<ul style="list-style-type: none"> Conduct a review/gap analysis to identify areas that need amendment/drafting. Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to the Constitution, legislation and government policy. Continue implementation of the national plan of action, and monitor progress against key indicators. Conduct consultations with specific gender related stakeholders. Conduct scoping/surveys to gather information and statistics on women's human rights issues (VAW, women in parliament, girls in school etc.). Conduct gender training with stakeholders including government, the judiciary, and the police. 	<ul style="list-style-type: none"> All discriminatory provisions in the Constitution, legislation and policy eliminated. National plan of action implemented and fully resourced/funded. Amendments to the Constitution/legislation/ policy approved by Parliament/Cabinet.
<p>Pass legislation to make spousal rape a crime, make sexual harassment illegal (Rec. 80/4), ensure that laws are in place to specifically address domestic violence (Rec. 80/3, 80/6, 80/7, 80/8, 80/9, 80/10, 80/12, 80/27, 80/28, 80/29) including raising public awareness (Rec. 80/4, 80/35) and providing enforcement officers with further training and support to ensure that such crimes are properly investigated and enforced (Rec. 80/11, 80/30).</p>	<ul style="list-style-type: none"> Draft national policy on women's equality and elimination of VAW. Conduct human rights education workshops on VAW for civil servants, including police, legal service agencies and communities. Hold consultations with relevant stakeholders (including relevant ministries) on the development of VAW legislation. Draft legislation in partnership with international/regional organisations. Review the application of policies/practices to identify areas that may need amendment with the introduction of VAW legislation. Relevant Minister prepares Cabinet memo regarding proposed VAW legislation. Conduct training of law enforcement agencies on human rights, and in particular the rights of women. Utilise media (print, radio, TV, internet) to spread messages about gender-based violence and its negative consequences. 	<ul style="list-style-type: none"> Strategy for reduction of VAW in the Solomon Islands developed, implemented and fully funded. Legislation and policies on VAW enacted. New policies and changes to existing policies approved by Cabinet. Rape, including marital rape, is criminalised. Sexual harassment is criminalised.

<p>Create national awareness of political participation and representation by women, at all decision making levels, including the Parliament (Rec. 80/40, 80/41, 80/42, 80/43, 81/29, 81/52).</p>	<ul style="list-style-type: none"> • Examine barriers to women being represented in Parliament and develop a strategy to address these barriers. • Support women in leadership programs and initiatives. • Review equal opportunity provisions in policies and legislation and examine whether temporary special measures or quotas need to be adopted. • Develop an action plan for the implementation of temporary special measures. 	<ul style="list-style-type: none"> • Adoption of relevant temporary special measures in policy and legislation. • Increase in the number of women in leadership positions.
<p>Implement fully its Gender Equity and Women's Development Policy and the National Policy on Eliminating Violence against Women, and convene a first meeting of the oversight mechanism – the National Steering Committee – at the earliest opportunity (Rec. 81/25, 81/26, 81/27, 81/28, 81/29).</p>	<ul style="list-style-type: none"> • Funding allocated to implement the <i>Gender Equity and Women's Development Policy</i> and the <i>National Policy on Eliminating Violence against Women</i>. • Monitor the progress of implementation of the policies against agreed plans. • Create a government/civil service position to oversee the implementation of the policies, which is fully funded and resourced. 	<ul style="list-style-type: none"> • Policies implemented on time and with sufficient budget allocated. • National Steering Committee convened.

THEMATIC AREA – Promotion and protection of human rights, education, and public awareness

Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Implement public awareness and education programmes on sexuality aimed at adolescents that includes information on contraceptive health, family planning, sexual and reproductive health, sexually transmitted diseases and HIV/AIDs (Rec. 80/44).</p>	<ul style="list-style-type: none"> • Continue funding and support for awareness raising on sexual education through health centres and schools. • Develop sexual health education curriculum for schools with relevant stakeholders and government ministries involved. • Pilot curriculum in a limited number of schools and revise as required. • Encourage the practice of safe sex practice through awareness campaigns, the media and community events. 	<ul style="list-style-type: none"> • Public awareness campaign conducted on sexual health. • Sexual health incorporated into national school curriculum.

<p>Seek, in cooperation with relevant international organizations and stakeholders, to include human rights education in school curricula, as appropriate (Rec. 80/45, 80/46, 81/56).</p>	<ul style="list-style-type: none"> • Develop human rights curriculum in consultation with key stakeholders. • Pilot curriculum in a limited number of schools and revise as required. • WG established on the promotion and protection of human rights. • Support human rights programs of civil society/NGOs. 	<ul style="list-style-type: none"> • Take measures to mainstream human rights into public education (including education and training of health workers, teachers, public officials, lawyers, justice officials etc.). • Human rights education institutionalised, with relevant curriculum in place. • Ongoing budget allocated for human rights education.
<p>Seek further technical assistance from OHCHR and other relevant agencies in order to promote human rights education and capacity-building, especially for public sector employees as well as for its preparation for reporting under international instruments (Rec. 81/33).</p>	<ul style="list-style-type: none"> • # of police, law enforcement officials, staff of government ministries and other relevant stakeholders trained in human rights. • WG established on the promotion and protection of human rights. • Support human rights programs of civil society/NGOs. 	<ul style="list-style-type: none"> • Human rights education institutionalised, with relevant curriculum in place. • Ongoing budget allocated for human rights education. • Human rights training part of training curriculum for police, corrections, lawyers and other public officials.

THEMATIC AREA – Treaty ratifications, treaty reporting and overall work with human rights mechanisms		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Consider ratification of core international human rights treaties and optional protocols to which the Solomon Islands is not already a party (ICCPR, ICCPR-OP 1 and ICCPR-OP 2, CAT, OP-CAT, ICRMW, CRPD, OP-CRPD, CED, OP-ICESCR, OP-CRC-AC, OP-CRC-SC, Convention relating to the Status of Stateless Persons, Convention on the Reduction of Statelessness, Convention on the Prevention and Punishment of the Crime of Genocide, the Rome Statute to the ICC, Palermo Protocol, and ILO Convention No. 182 (Rec. 81/1, 81/2, 81/3, 81/4, 81/5, 81/6, 81/7, 81/8, 81/9, 81/10, 81/11, 81/12, 81/13, 81/14, 81/15, 81/16, 81/17).</p>	<ul style="list-style-type: none"> • Create a timeline regarding treaty ratification. • # requests/correspondence/ communication to OHCHR to assist the government to ratify international instruments. • Draft a cabinet paper on ratification of international instruments and the implications for national policy and legislation. • Parliamentary debates on the ratification of international instruments. • Conduct consultations of relevant stakeholders (including relevant ministries) on plans to sign and ratify international treaties and to discuss impacts. • Conduct human rights training for police, law enforcement officials, staff of government ministries and other relevant stakeholders on the impacts of treaty domestication. 	<ul style="list-style-type: none"> • International treaties and protocols signed and ratified by the government.
<p>Extend a standing invitation to special-procedure mandate holders as a way of informing and supporting human rights reforms (Rec. 79/8, Rec. 81/38); and invite the Special Rapporteur on violence against women, its causes and consequences, to the country (Rec. 80/24).</p>	<ul style="list-style-type: none"> • Consult with relevant stakeholders (including relevant ministries) about extending a standing invitation to all human rights special procedures, and the consequences (e.g. financial). • Provide information to the public about human rights special procedures. 	<ul style="list-style-type: none"> • Standing invitation extended to all human rights special procedures.

<p>Work with OHCHR to prepare a common core document as a way to streamline and reduce the burden of treaty-reporting (Rec. 81/35).</p>	<ul style="list-style-type: none"> • # of communications with OHCHR regarding the development of a common core document. • Set up a National Human Rights Coordination Group to oversee the development of a common core document. 	<ul style="list-style-type: none"> • Common core document developed and utilised for treaty reporting. • All treaty reporting obligations met. • # of stakeholder reports submitted through the treaty reporting process. • Creation of a National Human Rights Coordination Group including a government/ civil service position to coordinate issues related to human rights (including reporting), which is fully funded and resourced.
<p>Consider implementing the recently adopted rules on the treatment of women prisoners and non-custodial measures for women offenders, otherwise known as the Bangkok Rules, and seek necessary support from such relevant agencies as UNODC and OHCHR (Rec. 81/47).</p>	<ul style="list-style-type: none"> • Raise awareness of the Bangkok rules amongst government officials, law enforcement personnel and the community. • Provide training for police and correctional services on the Bangkok rules. • Investigate thoroughly any allegations of mistreatment of female prisoners, and bring perpetrators to account. • # requests/correspondence with UNODC and OHCHR about technical and financial assistance to implement the Bangkok rules. 	<ul style="list-style-type: none"> • Bangkok Rules implemented in the Solomon Islands.

Samoa

Date of 1st Round Review:	9 May 2011 (12th meeting of 11th session) ³⁹⁸
Head of Delegation:	Hon. Fonotoe Nuafesili P. Lauofo (Deputy Prime Minister of Samoa) ³⁹⁹
Number of Recommendations:	122 (108 accepted, 14 rejected)
2nd Round Report Due:	25 January 2016
Date of 2nd Round Review:	25th session (April – May 2016)

The Ministry of Foreign Affairs and Trade was responsible for coordinating the UPR process in Samoa, with a taskforce established comprising of government agencies and NGOs.⁴⁰⁰ The taskforce held a series of coordination meetings between July 2010 and January 2011.⁴⁰¹ In September 2010, a consultation/workshop was facilitated by RRRT, OHCHR, and PIFS with members of the taskforce as well as government ministry and civil society representatives.⁴⁰² The workshop assisted government and civil society stakeholders to prepare their reports and was an opportunity for stakeholders to share information and receive updates on the UPR process.⁴⁰³ National consultations were also completed including public forums in Upolu and Savai'i in January 2011.⁴⁰⁴ Prior to the public forums, the UPR report was also translated into Samoan to ensure that it could be made available to the wider population especially those living at the village level.⁴⁰⁵ Six civil society organisations⁴⁰⁶ submitted stakeholder reports to the HRC as part of the UPR process. Their combined report focused on the establishment of a NHRI, gender equality, VAW, health service provision, ratification of international human rights treaties, and education.⁴⁰⁷

A number of key human rights issues were raised during the interactive dialogue by member states which were also reflected in the recommendations made. These issues included: establishment of a NHRI, gender equality and VAW, children's rights and the ratification and reporting against international human rights treaties.

Establishment of a Human Rights Institution

During the interactive dialogue eight states mentioned the establishment of a human rights institution in Samoa with many congratulating the government for the steps which had already been taken towards its establishment.⁴⁰⁸ Twelve recommendations were given regarding the establishment of the human rights commission.⁴⁰⁹ In the national report, the government stated that it had begun assessing the possibility of establishing a Human Rights Commission, initially housed in the Ombudsman's Office.⁴¹⁰ The delegation also reported that legislation was currently being drafted to establish the commission.⁴¹¹

Gender

Issues concerning the rights of women were the most discussed during the interactive dialogue, with 17 states making statements⁴¹² and a total of 26 recommendations given.⁴¹³ The main issues raised were the participation of women in parliament and decision making positions, VAW and the enactment of the *Family Safety Bill*, laws of inheritance, the laws on marital rape, and discrimination against women in the law. A number of states raised necessary changes to laws to ensure the rights of women were protected however a number of recommendations in relation to these changes were rejected by the government. For example one of the rejected recommendations 75/30 states that Samoa should 'amend its national law to guarantee equality between men and women and ensure that customs and traditional practices cannot be used in law to discriminate against women'.⁴¹⁴ The equal right to inheritance between men and women was also rejected by the government.⁴¹⁵

Children

A wide range of issues regarding children's rights were raised including children who are street vendors, the minimum age of criminal responsibility, the juvenile justice system, corporal punishment of children in the home and schools, commercial sexual exploitation, access to free, compulsory education, and access to information about sexual health. Seven states⁴¹⁶ spoke on issues affecting children with 13 recommendations made.⁴¹⁷ A number of countries requested that Samoa raise the minimum age of criminal responsibility, however the delegation stated that it was to remain at 10 and that a Youth Court had been established to try children between the ages of 10 and 17.⁴¹⁸

Ratification and Reporting on International Human Rights Treaties

Of the core international human rights treaties, Samoa is currently a party to the ICCPR, CEDAW and the CRC.⁴¹⁹ See Annex 2 for a full list of treaties ratified and the status of past and current reports to treaty committees. Five states⁴²⁰ mentioned the ratification of international human rights treaties during the interactive dialogue, with 39 recommendations being given.⁴²¹ Three of the recommendations given on the ratification of international human rights treaties were rejected by the government.⁴²²

Country Indicator Table - Samoa

Recommendation	Sample Progress Indicators	Sample Compliance Indicators
Enact the Family Safety Bill without delay (Rec. 73/13, 74/2, 74/3).	<ul style="list-style-type: none"> Expedite the progress of the <i>Family Safety Bill</i> in Parliament. Begin immediate action to implement the <i>Family Safety Bill</i> (upon enactment) including any immediate changes to policy and practice that need to be implemented. Conduct awareness on the mechanics/ implementation of the <i>Family Safety Bill</i> for government officials, law enforcement agencies and communities, following enactment. 	<ul style="list-style-type: none"> <i>Family Safety Bill</i> enacted by parliament.

<p>Continue harmonising its national legislation in line with commitments assumed at the international level (Rec. 74/5, 75/27).</p>	<ul style="list-style-type: none"> • Conduct a legislative and policy review/ gap analysis to identify areas that need amendment. • Draft amendments in partnership with international/regional organisations. • Review the application of policies/ practices to identify areas that may need amendment. • Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to existing legislation/policy. • Relevant Minister prepares Cabinet memo regarding proposed amendments. • Create a Select Committee to facilitate harmonisation of international law with domestic law. 	<ul style="list-style-type: none"> • All legislation harmonised with international human rights instruments. • Policy changes approved by Cabinet. • Amendments to legislation approved by Parliament.
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THEMATIC AREA – Thematic Human Rights Issues (Prevention of torture, education, climate change, racism, disability)

Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Enact a comprehensive anti-trafficking law and make proactive efforts to identify and assist trafficking victims (Rec. 73/33).</p>	<ul style="list-style-type: none"> • Continue the process of drafting and enacting legislation that prohibits and punishes all forms of trafficking. • Increase collaboration with civil society, religious, and tribal leaders to raise awareness about trafficking, including the need to reduce demand for forced labour and the commercial sex trade. • Investigate, prosecute and punish officials who facilitate or benefit from trafficking. • Develop and institute a formal procedure to identify victims of trafficking among vulnerable groups. • Ensure victims of trafficking are not arrested, deported, or otherwise punished for acts committed as a direct result of being trafficked. • Train law enforcement officers on victim identification and protection. • Monitor trafficking activities in the region. 	<ul style="list-style-type: none"> • Anti-trafficking legislation enacted. • Offenders of trafficking prosecuted, and victims of trafficking protected.

<p>Continue implementing strategies and plans for national socio-economic development (Rec. 73/35); continue implementing programmes and measures aimed at ensuring universal health care and quality education services for all its population (Rec. 73/36).</p>	<ul style="list-style-type: none"> • Encourage ownership of services by the community through ongoing community engagement, for example in the maintenance and upkeep of health posts, schools etc. • Monitor and evaluate implementation of development policies, strategies and plans in consultation with relevant stakeholders. • # communications/requests for financial and technical assistance from the relevant UN bodies and regional/ international organisations. 	<ul style="list-style-type: none"> • Invest resources in essential services for those in both urban and rural areas, including provision of infrastructure. • Invest in training of quality personnel and provide incentives to work in essential services. • Improvements in essential services for those living in both urban and rural areas. • Improvements in key development indicators.
<p>Significantly promote sexual education, in particular oriented towards adolescent girls and boys, paying special attention to the prevention of early pregnancy and to the control of sexually transmitted diseases and HIV and AIDS (Rec. 73/37).</p>	<ul style="list-style-type: none"> • Continue funding and support for awareness raising on sexual education through health centres and schools. • Develop sexual education curriculum for schools with relevant stakeholders and government ministries involved. • Pilot curriculum in a limited number of schools and revise as required. • Encourage the practice of safe sex practice through awareness campaigns, the media and community events. 	<ul style="list-style-type: none"> • Public awareness campaign conducted on sexual health. • Sexual health incorporated into national school curriculum.

<p>Redouble efforts to promote universal education and ensure compliance with legislation on compulsory education (Rec. 73/38, 73/39).</p>	<ul style="list-style-type: none"> • Conduct research into the situation of children in Samoa, including why children are not accessing education. • Develop an action plan based on the issues raised with parents, communities, and relevant stakeholders. • Support the education department to measure and report changes in attendance, drop outs, quality of teaching and infrastructure on a regular basis. • Support communities, parents and children to raise awareness on the importance of education. • Address barriers to children accessing free education. • Address reasons why children are dropping out of school, especially girls. • Continue monitoring the on-time implementation of the <i>Education Act 2009</i> and working towards free and compulsory education. 	<ul style="list-style-type: none"> • Reduction in barriers to children accessing and attending education. • Increase in school attendance and reduction in drop outs. • Education is free and compulsory.
<p>Continue its leading international efforts to tackle global warming, including by reminding developed countries and major emitting states of their obligation to help promote and protect human rights in Samoa by reducing greenhouse gas emissions to safe levels (Rec. 73/41).</p>	<ul style="list-style-type: none"> • # of related international meetings attended and contributed to. • Prepare national climate change and sustainable development policies. • Correspondence and discussions with parties to the UN Framework Convention on Climate Change. 	<ul style="list-style-type: none"> • Regular engagement with the international community on climate change, including promotion of international cooperation. • Participated fully in HRC discussions on human rights and climate change. • Other parties to the UN Framework Convention on Climate Change lobbied to reach a global agreement on climate change. • Adopt a rights based approach to tackling the effects of climate change.

<p>Consider elaborating norms relating to persons with disabilities (Rec. 74/4); give high priority to the work of the National Disabilities Taskforce (Rec. 74/6) the implementation of the National Policy for Persons with Disabilities (Rec. 74/9); develop specific legislation on the rights of persons with disabilities (Rec. 75/15); implement inclusion measures that ensure access for people with disabilities to better employment opportunities (Rec. 74/31); and support the work of organizations devoted to promoting accessibility and the rights of persons with disabilities (Rec. 73/34).</p>	<ul style="list-style-type: none"> • Review existing development plans and programs and ensure disability is incorporated. • Support the work of organisations working with persons with disabilities and ensure their ongoing operation. • Ensure plan of action to implement the National Policy and Plan of Action for Persons with Disabilities is clear and affordable. • Support and engage the National Disabilities Taskforce, and regularly monitor its progress. • Engage with civil society organisations working on disability and map services and gaps to identify strategic areas where government can assist. • Set up a committee to oversee implementation of the policy and drafting of legislation including members of relevant government ministries and civil society. • Produce/commission policy papers on areas affecting persons living with disabilities including employment, equal opportunities, physical and urban planning, sport, youth and health. • Conduct nationwide assessment of persons with disabilities collecting information on sex, age, disability, access to services (health, education etc.) and how to improve quality of life. • Collate information and analyse common themes, and utilise information to create and implement policy. 	<ul style="list-style-type: none"> • Disability incorporated into all development plans and programs. • National Policy for Persons with Disabilities implemented, with full funding and resources. • Specific legislation developed on the rights of persons with disabilities. • Database on disability in Samoa informing policy, legislation and planning. • Government/civil service position created to oversee disability, which is fully funded and resourced.
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<p>Improve inmate conditions in detention facilities (Rec. 74/12, 74/13); invite independent human rights observers to monitor conditions within the prisons (Rec. 75/33); enhance its investigation of complaints of abuse by police (Rec. 74/26) and extend police training to address concerns about abuse by police (Rec. 75/35).</p>	<ul style="list-style-type: none"> • Conduct a review of prison conditions and detention centres, particularly conditions for juveniles. • Allow access to detention centres by independent civil society organisations. • Pursue the recommendations from the Commission of Inquiry on the state of detainees which falls under the auspices of the Ministry of Justice and Social Welfare. • Review policies and practices of police and correctional service officers including providing adequate redress for detainees. • Train police and prison/detention centre officials in human rights and juvenile justice. • Investigate thoroughly any allegations of torture, and bring perpetrators to account. 	<ul style="list-style-type: none"> • Prison conditions are in compliance with international standards.⁴²³ • Detainees have effective means of redress when their rights are violated. • Treatment of prisoners is in compliance with international standards.⁴²⁴
<p>Implement fully the recommendations of the Committee on the Rights of the Child, including by taking measures to address the issue of child labour, prohibiting corporal punishment, sexual exploitation of children and raising the minimum age of criminal responsibility to an internationally acceptable level (Rec. 74/19, 74/20, 74/21, 75/36); and address the elimination of child labour in the ongoing 1972 Labour and Employment Act review (Rec. 74/23).</p>	<ul style="list-style-type: none"> • Review current legislation (including the <i>1972 Labour and Employment Act</i>) and policy to ensure the prohibition of child labour, corporal punishment and sexual exploitation of children, and if necessary draft specific legislation to address the issues. • Commission a review of the <i>Penal Code</i> specifically the minimum age of criminal responsibility. • Conduct consultations with relevant stakeholders (including relevant ministries) to discuss drafting legislation/policy. • Relevant Minister prepares Cabinet memo regarding proposed legislation. • Educate police and law enforcement officials on child rights. • Consult with civil society to ensure services are available to child victims and fill gaps as required. 	<ul style="list-style-type: none"> • Perpetrators of child labour, corporal punishment and sexual exploitation of children prosecuted. • Minimum age of criminal responsibility in line with international standards. • Services available for child victims. • Legislation approved by Parliament.

<p>Conduct awareness campaigns to sensitise the population to end the corporal punishment of children (Rec. 74/21, 74/22).</p>	<ul style="list-style-type: none"> • Ensure comprehensive awareness raising of the prohibition of all corporal punishment and other inhuman or degrading treatment and humiliation of children. • Ensure comprehensive awareness raising of children’s human rights amongst communities, families, police, government officials and legal professionals. 	<ul style="list-style-type: none"> • Ban enforced on corporal punishment in public and private. • Public awareness campaign conducted on the negative effects of corporal punishment. • Decrease in corporal punishment incidences in public and private.
<p>Continue to guarantee freedom of religion and to ensure the preservation and promotion of the cultural characteristics and distinctness of “fa’asomoa” (Rec. 74/27); and make public, upon its completion, the report of the Commission of Inquiry set up to investigate alleged violations of religious freedom (Rec. 75/42).</p>	<ul style="list-style-type: none"> • Promote and make public the report of the Commission of Inquiry. • Implement recommendations of the report. • Revoke any policy or legislation that restricts the freedom of religion, association, expression and/or movement. • # of police and security forces trained on human rights. • Human rights incorporated into new police recruits training. • Education and awareness programs for the public on freedom of expression. • Consult with civil society and key stakeholders about freedom of expression. • Develop policies and legislation to safeguard freedom of expression. 	<ul style="list-style-type: none"> • Freedom of religion guaranteed in legislation and government policy. • Legislation and policies approved by Parliament/ Cabinet.

<p>Continue its reconsideration of laws that restrict the human rights of individuals based on sexual orientation or gender identity, and repeal all such laws (Rec. 75/41).</p>	<ul style="list-style-type: none"> · Ensure that the relevant provisions of the Constitution and legislation are amended to include freedom from discrimination on the grounds of sexual orientation or gender identity. · Conduct a review of all policy and legislation to identify areas which may need amendment. · Consult with relevant stakeholders and ministries about drafting a specific piece of anti-discrimination legislation, or amendments to existing legislation. · Draft amendments in partnership with international/regional organisations. · Review the application of policies/practices to identify areas that may need amendment. · Relevant Minister prepares Cabinet memo regarding proposed amendments. 	<ul style="list-style-type: none"> · All legislation and policies have specific anti-discrimination provisions including provisions for redress. · Policy changes approved by Cabinet. · Amendments to legislation approved by Parliament.
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THEMATIC AREA – National and Regional Human Rights Institutions

Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Establish a national human rights institution in accordance with the Paris Principles (Rec. 73/15, 73/16, 73/17, 73/18, 73/19, 73/20, 73/21, 73/22, 73/23, 73/24, 75/22, 75/23, 75/24, 75/25, 75/26).</p>	<ul style="list-style-type: none"> · Conduct/attend consultations of relevant stakeholders on what regional and national human rights mechanisms are, the benefits and challenges, and the impacts of establishing one. · # communications/requests sent to regional/international bodies to help with establishment. · Draft a policy paper on the creation of a national or regional human rights institution. · Establish a timeline and pathway for establishment. · Create a select committee/WG to facilitate establishment. · Support PIFS Working Group on a Regional Human Rights Mechanism. 	<ul style="list-style-type: none"> · National/regional human rights institution established in accordance with the Paris Principles.⁴²⁵ · Enact legislation to create a national human rights institution or support the establishment of a regional body.

THEMATIC AREA – Gender Equality		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
Implement fully the recommendations of the Committee on the Elimination of Discrimination against Women, including by increasing efforts to improve the provision of sexual and reproductive health services so as to reduce maternal morbidity and prevent teenage pregnancies (Rec. 73/29).	<ul style="list-style-type: none"> · Increase access of women to sexual and reproductive health services including investment in new services in rural areas. · Train additional health personnel in sexual and reproductive health. · Continue funding and support for awareness raising on sexual education through health centres, the media and community events. · Develop sexual education curriculum for schools with relevant stakeholders and government ministries involved. 	<ul style="list-style-type: none"> · Sexual and reproductive services available to women in urban and rural areas. · Reduction in maternal morbidity and teenage pregnancies.
Immediately criminalise rape within marriage (Rec. 73/32); and equalise the legal minimum age of marriage for girls and boys (Rec. 75/37).	<ul style="list-style-type: none"> · Conduct a legislative and policy review/ gap analysis of the <i>Crimes Ordinance 1961</i> and <i>Marriage Ordinance Act 1961</i> to identify areas that need amendment. · Draft amendments in partnership with international/regional organisations. · Review the application of policies/ practices to identify areas that may need amendment. · Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to existing legislation/policy. · Relevant Minister prepares Cabinet memo regarding proposed amendments. 	<ul style="list-style-type: none"> · Rape, including marital rape, is criminalised. · The legal minimum age of marriage is the same for girls and boys. · Policy changes approved by Cabinet. · Amendments to legislation approved by Parliament.

<p>Further enhance national policies to promote the rights of women (Rec. 74/10) including endorsement and promotion of the Nation Policy for Women (Rec. 74/2, 74/8); and improve the situation of women in Samoan society and political life (Rec. 74/11, 74/28, 73/14) including measures to reduce gender imbalance in the legislative and executive branches of government (Rec. 75/28); and conduct awareness-raising activities to change socio-cultural practices and stereotypes that impinge on gender equality (Rec. 73/30).</p>	<ul style="list-style-type: none"> • Develop and implement a dissemination plan for the National Policy for Women through awareness raising activities through the media, special events and community gatherings. • Implementation of mechanisms to support gender equality – i.e. gender responsive budgeting, temporary special measures. • Conduct consultations with specific gender related stakeholders. • Conduct scoping/surveys to gather information and statistics on women’s human rights issues (VAW, women in parliament, girls in school etc.). • Conduct gender training with stakeholders including government, the judiciary, and the police. • Conduct and support women in leadership programs. • Discussion and open dialogue regarding the intersection of custom and international obligations. 	<ul style="list-style-type: none"> • All existing legislation compliant with CEDAW.408 • National Policy for Women implemented nationally, with full funding and resources. • Increase in the number of women in leadership positions. • Government/civil service position created to oversee gender, which is fully funded and resourced.
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<p>Prioritise legislation on women's rights and domestic violence, and implement domestic policies aimed at eliminating violence against women (Rec. 74/15, 74/16, 74/24, 73/31); develop efficient and transparent mechanisms to prevent violence, particularly against women, girls and boys, and ensure that these mechanisms have the necessary capacity and resources to tackle this issue (Rec. 74/14, 74/18)</p>	<ul style="list-style-type: none"> • Conduct human rights education workshops on VAW for civil servants, including police, legal service agencies and communities. • Expedite the progress of the <i>Family Safety Bill</i> by Parliament. • Hold consultations with relevant stakeholders (including relevant ministries) on the implementation of the <i>Family Safety Bill</i>. • Review the application of policies/practices to identify areas that may need amendment with the introduction of the <i>Family Safety Bill</i>. • Train police, law enforcement agencies and the judiciary in gender and women's rights. • Conduct consultations on a national awareness campaign with relevant stakeholders. • Utilise media (print, radio, TV, internet) to spread messages about the negative effects of gender-based violence. • Collaborate with NGOs, civil society and the private sector to support and promote the campaign. 	<ul style="list-style-type: none"> • Strategy for reduction of VAW in Samoa developed, implemented and fully funded. • Legislation and policies on VAW enacted, including the enactment of the <i>Family Safety Bill</i>. • Public awareness campaigns on violence against women conducted. • New policies and changes to existing policies approved by Cabinet.
<p>Introduce necessary measures in the field of anti-discrimination and equal remuneration for men and women for work of equal value (Rec. 74/30); and take appropriate measures to make the promotion of gender equality an explicit component of its national development plan and policies and to include in its Constitution or other appropriate domestic legislation a definition of discrimination against women (Rec. 75/29).</p>	<ul style="list-style-type: none"> • Review existing development plans and policies and ensure the promotion of gender equality is incorporated. • Conduct a legislative and policy review/gap analysis to identify areas that need amendment using a gender analysis. • Draft amendments in partnership with international/regional organisations. • Review the application of policies/practices to identify areas that may need amendment. • Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to existing legislation/policy/the Constitution. • Relevant Minister prepares Cabinet memo regarding proposed amendments. 	<ul style="list-style-type: none"> • All legislation/policies in line with CEDAW.⁴²⁷ • All discriminatory provisions in legislation removed. • Equal remuneration for men and women for equal work. • Policy changes approved by Cabinet. • Amendments to legislation approved by Parliament.

THEMATIC AREA – Promotion and protection of human rights, education, and public awareness		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Seek to enhance its programmes on human rights education and training in schools and for public officials, in cooperation with the international community (Rec. 73/40, 74/12); and strengthen the institutional infrastructure for ensuring, promoting and protecting human rights (Rec. 74/7).</p>	<ul style="list-style-type: none"> • # of police, law enforcement officials, staff of government ministries and other relevant stakeholders trained in human rights. • WG established on the promotion and protection of human rights. • Support human rights programs of civil society/NGOs. • Develop human rights curriculum in consultation with key stakeholders. 	<ul style="list-style-type: none"> • Human rights education institutionalised, with relevant curriculum in place. • Ongoing budget allocated for human rights education. • Take measures to mainstream human rights into public education (including education and training of health workers, teachers, public officials, lawyers, justice officials etc.).
<p>Improve equal access to justice, including legal assistance and information and education about legal and human rights, to those who cannot afford private representation (Rec. 74/25).</p>	<ul style="list-style-type: none"> • # of village/community leaders and other community members trained in human rights, including international human rights standards, non-discrimination and gender. • Support human rights programs of civil society/NGOs. • Promote and develop awareness campaigns on citizen's rights, and access to the formal justice system, as well as information on redress mechanisms. • Support the provision of free legal assistance to anyone who needs it. 	<ul style="list-style-type: none"> • Take measures to mainstream human rights into public education (including education and training of health workers, teachers, public officials, lawyers, justice officials etc.). • Human rights education institutionalised, with relevant curriculum in place. • Ongoing budget allocated for human rights education.

THEMATIC AREA – Treaty ratifications, treaty reporting and overall work with human rights mechanisms		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Consider ratification of core international human rights treaties and optional protocols to which Samoa is not already a party (ICCPR-OP 2, ICERD, OP-CEDAW, ICESCR, OP-ICESCR, CAT, OP-CAT, CPRD, OP-CRPD, ICRMW, CED, OP-CRC-AC OP-CRC-SC, 1954 Convention relating the Status of Stateless Persons, 1961 Convention on the Reduction of Statelessness) (Rec. 73/1, 73/2, 73/3, 73/4, 73/5, 73/6, 73/7, 73/8, 73/9, 73/10, 73/11, 73/12, 75/1, 75/2, 75/3, 75/4, 75/5, 75/6, 75/7, 75/8, 75/9, 75/10, 75/11, 75/12, 75/13, 75/14, 75/15, 75/16, 75/17, 75/18, 75/19, 75/20).</p>	<ul style="list-style-type: none"> · Create a timeline regarding treaty ratification. · # requests/correspondence/communication to OHCHR to assist the government to ratify international instruments. · Draft a cabinet paper on ratification of international instruments and the implications for national policy and legislation. · Parliamentary debates on the ratification of international instruments. · Conduct consultations of relevant stakeholders (including relevant ministries) on plans to sign and ratify international treaties and to discuss impacts. · Conduct human rights training for police, law enforcement officials, staff of government ministries and other relevant stakeholders on the impacts of treaty domestication. 	<ul style="list-style-type: none"> · International treaties and protocols signed and ratified by the government.
<p>Continue to seek technical cooperation and assistance from the international community, such as OHCHR and UNFPA, in relevant areas, particularly capacity-building for preparing its national reports under human rights conventions to which Samoa is a party (Rec. 73/26, 73/27).</p>	<ul style="list-style-type: none"> · Create a National Human Rights Coordination Group (made up of government and civil society) to coordinate all human rights treaty reporting. · Consider developing a common core document for all treaty reporting. · Consult with relevant stakeholders about the status of human rights in Samoa. · # requests/correspondence to OHCHR and treaty bodies regarding assistance with treaty reporting. 	<ul style="list-style-type: none"> · All reporting obligations to treaty bodies met. · # of stakeholder reports submitted through the treaty reporting process. · All domestic legislation harmonised with ratified international treaties. · Creation of a National Human Rights Coordination Group including a government/civil service position to coordinate issues related to human rights (including reporting), which is fully funded and resourced. · Common core document developed and used for treaty reporting.

<p>Consider extending a standing invitation to the United Nations special procedures (Rec. 73/28).</p>	<ul style="list-style-type: none"> • Consult with relevant stakeholders (including relevant ministries) about extending a standing invitation to all human rights special procedures, and the consequences (e.g. financial). • Provide information to the public about human rights special procedures 	<ul style="list-style-type: none"> • Standing invitation extended to all human rights special procedures.
<p>Involve civil society organizations in the follow-up to this review (Rec. 73/42); and use the UPR process to better involve civil society for further promotion and protection of human rights in Samoa (Rec. 74/29).</p>	<ul style="list-style-type: none"> • Publish an article/media release/hold a press conference on the UPR process and the impact it could have on improving human rights. • Create a UPR Task Force/Steering Committee (with relevant members from government and civil society) to coordinate a plan of action to implement accepted recommendations. • Ensure transparency in the process through publication of progress updates to media and relevant stakeholders. • Draw upon the knowledge and expertise of civil society to support the government in implementing recommendations. 	<ul style="list-style-type: none"> • Civil society is involved at all stages of follow up and implementation of recommendations from the review.
<p>Circulate and implement the recently adopted rules on the treatment of women prisoners and non-custodial measures for women offenders, otherwise known as the Bangkok Rules, and seek necessary support from such relevant agencies as UNODC and OHCHR (Rec. 75/34).</p>	<ul style="list-style-type: none"> • Raise awareness of the Bangkok rules amongst government officials, law enforcement personnel and the community. • Provide training for police and correctional services on the Bangkok rules. • Investigate thoroughly any allegations of mistreatment of female prisoners, and bring perpetrators to account. • # requests/correspondence with UNODC and OHCHR about technical and financial assistance to implement the Bangkok rules. 	<ul style="list-style-type: none"> • Bangkok Rules implemented in Samoa.

Papua New Guinea

Date of 1st Round Review:	11 May 2011 (16th meeting of 11th session) ⁴²⁸
Head of Delegation:	Robert G. Aisi (Ambassador and Permanent Representative of PNG at the United Nations) ⁴²⁹
Number of Recommendations:	146 (115 accepted, 31 rejected)
2nd Round Report Due:	25 January 2016
Date of 2nd Round Review:	25th session (April – May 2016)

In preparation for reporting to the WG on the UPR, the delegation stated that an inter-agency committee had been created, made up of representatives of relevant government ministries and agencies.⁴³⁰ A sub-committee of the inter-agency committee, the National UPR Taskforce, was also created and was responsible for the compilation of stakeholder input and the drafting of the national report.⁴³¹ The committee was responsible for conducting a wide range of stakeholder consultations with government departments and agencies, NGOs, churches, academia, and youth and community leaders.⁴³² Four regional consultations were also conducted to ensure that the views of those living in rural and remote areas were taken into consideration.⁴³³ Ten civil society organisations⁴³⁴ submitted stakeholder reports to the HRC as part of the UPR process. The combined report focused on the establishment of a NHRI, policies and legislation on VAW and child protection, gender discrimination, VAW, sorcery killings, treatment of detainees, health service provision, HIV and AIDS, and services for persons with disabilities.⁴³⁵

A number of key human rights issues were raised during the interactive dialogue by member states which were also reflected in the recommendations made. These issues included: gender equality and VAW, the treatment of detainees and those in police custody, children's rights, the establishment of a NHRI, environmental issues (including climate change) and the ratification and reporting against international human rights treaties.

Establishment of a Human Rights Institution

There was a limited amount of discussion regarding the establishment of a NHRI during the interactive dialogue with only four states commenting on the issue.⁴³⁶ However 12 recommendations were given following the discussion.⁴³⁷ It was recognised by states that in order for this recommendation to be implemented that PNG would need to request technical and financial assistance from the international community.

Rights of Detainees

During the interactive dialogue, eight states⁴³⁸ raised issues regarding the treatment of detainees (especially women) by police officers and security officials whilst in police custody. This included beatings during arrest, within the first few hours of detention, and upon recapture if they had escaped.⁴³⁹ In some instances it was stated that the treatment had amounted to torture under the definition provided in the CAT.⁴⁴⁰ A number of states were also concerned about the conditions in prisons and detention facilities.⁴⁴¹ The PNG delegation responded stating that these issues had been raised previously and during the visit of the Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and were being addressed through policy and further education.⁴⁴² There was also an assurance given that perpetrators would be held responsible.⁴⁴³ Two of the recommendations given to PNG regarding the conditions of prisons were rejected by the government.⁴⁴⁴

Ratification and Reporting on International Human Rights Treaties

Of the core international human rights treaties, PNG is currently a state party to the ICERD, ICESCR, ICCPR, CEDAW and the CRC.⁴⁴⁵ See Annex 2 for a full list of treaties ratified and the status of past and current reports to treaty committees. No discussion of ascension to human rights treaties was made during the interactive dialogue however 22 recommendations were given regarding ascension to OP-CEDAW, CAT, OP-CAT, CED, CRPD, OP-CRC-AC, and OP-CRC-SC. Three of the recommendations on the ratification of international human rights treaties (including CAT, OP-CAT, CRPD and CED) were rejected by the government.⁴⁴⁶

Gender

Gender equality, discrimination against women and VAW were by far the most discussed topics during PNG's UPR session. Seventeen states⁴⁴⁷ made statements during the interactive dialogue on a range of issues affecting the rights of women including treatment by police and security forces, sorcery-related killings, VAW, representation in decision making, prostitution and forced domestic servitude. A number of states were concerned about the follow up and prosecution of perpetrators of VAW and the lack of support for victims, whilst others focused on the number of female members of parliament. Forty-six recommendations⁴⁴⁸ were given on gender related issues with nine of these recommendations being rejected by the government.⁴⁴⁹ The recommendations that were rejected concerned the removal of discriminatory laws against women, legislation on VAW, the prosecution of perpetrators of violence, and abortion.

Children

A range of issues were raised regarding the rights of children including the right to free primary education, the elimination of abuse and violence against children (including corporal punishment), the prevention of child exploitation and prostitution, birth registration and provision of health care. Five states⁴⁵⁰ spoke on the rights of children and expressed support for the adoption of the *Lakautim Pikinini Act* and the *Criminal Code (Sexual Offences and Crimes against Children) Act 2002*. Twenty-five recommendations⁴⁵¹ were made regarding the rights of children and in particular girls.

Environment

Four states⁴⁵² raised issues related to the environment including the effects of climate change and natural disasters, deforestation, and the environmental consequences of development projects. Six recommendations were made regarding the protection of the environment with two of the recommendations rejected by the PNG government. The rejected recommendations were regarding the rights of indigenous people to live and work on their own traditional agricultural land, because of the increase in deforestation and mining.

Country Indicator Table - Papua New Guinea

THEMATIC AREA – Justice and Law Reforms		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Continue efforts to harmonise national legislation with international human rights instruments (Rec. 78/11) particularly CEDAW (Rec. 78/3, 78/13, 78/14, 78/15, 79/16); and pursue efforts with regional and international communities in seeking financial and technical assistance to domesticate ratified international treaties (Rec. 78/12).</p>	<ul style="list-style-type: none"> Conduct a legislative and policy review/gap analysis to identify areas that need amendment. Draft amendments in partnership with international/regional organisations. Review the application of policies/practices to identify areas that may need amendment. Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to existing legislation/policy. Relevant Minister prepares Cabinet memo regarding proposed amendments. Create a Select Committee to facilitate harmonisation of international law with domestic law. Approach regional and international partners to provide technical and financial assistance to domesticate international treaties. 	<ul style="list-style-type: none"> All legislation harmonised with international human rights instruments, with assistance from regional/international partners. Policy changes approved by Cabinet. Amendments to legislation approved by Parliament.
<p>Amend its legislation to include the principle of equality between men and women; Parliament should adopt the equality and participation bill in order to enhance gender equality in the political sphere (Rec. 79/20).</p>	<ul style="list-style-type: none"> Conduct a legislative and policy review/gap analysis to identify areas that need amendment. Draft amendments in partnership with international/regional organisations. Review the application of policies/practices to identify areas that may need amendment. Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to existing legislation/policy. Relevant Minister prepares Cabinet memo regarding proposed amendments. 	<ul style="list-style-type: none"> All discriminatory provisions in legislation eliminated. <i>Equality and Participation Bill</i> enacted by Parliament. Policy changes approved by Cabinet.

THEMATIC AREA – Thematic Human Rights Issues (Prevention of torture, education, climate change, racism, disability)		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
Incorporate a disability perspective into its Vision 2050 and other development plans and programs (Rec. 78/9); take necessary measures to implement the National Disability Policy (Rec. 78/37); and promote the creation of a database regarding persons with disabilities, with the objective of guiding relevant policies to make their rights effective (Rec. 78/38).	<ul style="list-style-type: none"> Review existing development plans and programs including Vision 2050 and ensure disability is incorporated. Ensure plan of action to implement the National Disability Policy is clear and affordable. Engage with civil society organisations working on disability and map services and gaps to identify strategic areas where government can assist. Set up a committee to oversee implementation of the policy including members of relevant government ministries and civil society. Produce/commission policy papers on areas affecting persons with disabilities including employment, equal opportunities, physical and urban planning, sport, youth and health. Conduct nationwide assessment of persons with disabilities collecting information on sex, age, disability, access to services (health, education etc.) and how to improve quality of life. Collate information and analyse common themes, and utilise information to create and implement policy. 	<ul style="list-style-type: none"> Disability incorporated into all development plans and programs. National Disability Policy implemented. Database on disability in Papua New Guinea informing planning, policy, and legislation. Government/civil service position created to oversee the implementation of the National Disability Policy, which is fully funded and resourced.
Take effective measures to prevent alleged abuse and violence by police officers, encouraging the government to respond appropriately to the Special Rapporteur on the question of torture's concerns and recommendations on this matter (Rec. 78/50); and take concrete and practical measures to protect human rights defenders, who, according to a UN joint report, have been threatened, attacked and in some cases murdered (Rec. 79/55).	<ul style="list-style-type: none"> # of police and security forces trained on human rights. Conduct review of police and security forces policies in relation to treatment of detainees/people in custody. Prosecute and dismiss police and members of the security forces who are involved in the maltreatment of detainees including human rights defenders. Respond to concerns and recommendations from the Special Rapporteur. 	<ul style="list-style-type: none"> Institutional safeguards in place to protect citizens from harsh treatment by police and security forces.⁴⁵³ Treatment of prisoners is in compliance with international standards.⁴⁵⁴ Human rights incorporated into new police recruits training.

<p>Consider prohibiting by law corporal punishment within the family and other institutions (Rec. 78/53, 79/27, 79/37).</p>	<ul style="list-style-type: none"> • Conduct review of all relevant policy and legislation and ensure provisions are developed which outlaw corporal punishment in the family and other institutions. • Draft legislative changes in partnership with international/regional organisations. • Review the application of policies/practices to identify areas that may need amendment. • Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to existing legislation/policy. • Relevant Minister prepares Cabinet memo regarding proposed amendments. • Ensure comprehensive awareness raising of the prohibition of all corporal punishment and other inhuman or degrading treatment and humiliation of children. • Ensure comprehensive awareness raising of children's human rights amongst communities, families, police, government officials and legal professionals. 	<ul style="list-style-type: none"> • Ban enforced on corporal punishment in public and private. • Decrease in incidents of corporal punishment in public and private. • Policy changes approved by Cabinet. • Amendments to legislation approved by Parliament.
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<p>Modify its legislation to ensure that the provisions prohibit and penalise the sale and trafficking of girls and boys under the age of 18 for sexual and labour exploitation (Rec. 78/54); and increase efforts to prosecute offenders of human trafficking, identify and protect trafficking victims, and make efforts to prevent trafficking crimes (Rec. 78/55).</p>	<ul style="list-style-type: none"> • Continue the process of drafting and enacting legislation that prohibits and punishes all forms of trafficking. • Increase collaboration with civil society, religious, and tribal leaders to raise awareness about trafficking, including the need to reduce demand for forced labour and the commercial sex trade. • Investigate, prosecute and punish officials who facilitate or benefit from trafficking. • Develop and institute a formal procedure to identify victims of trafficking among vulnerable groups. • Ensure victims of trafficking are not arrested, deported, or otherwise punished for acts committed as a direct result of being trafficked. • Train law enforcement officers on victim identification and protection. • Monitor trafficking activities in the region. 	<ul style="list-style-type: none"> • Anti-trafficking legislation enacted. • Offenders of trafficking prosecuted, and victims of trafficking protected.
<p>Look to replicate successful programmes that aim to keep adolescents out of the prison system wherever possible (Rec. 78/60).</p>	<ul style="list-style-type: none"> • Review successful reintegration programs regionally and internationally and apply lessons learned to the PNG context. • Implement community reintegration/ livelihood programs to assist adolescents to move back into communities. • Ensure adolescents in the prison system have access to education, training and skills based programming to assist the transition from prison into the community. 	<ul style="list-style-type: none"> • Reduction in the numbers of adolescents returning to prison. • UN guidelines on prevention of juvenile delinquency utilised.⁴⁵⁵

<p>Enhance the transparency of its public decision-making and the use of public resources for public purposes (Rec. 78/61).</p>	<ul style="list-style-type: none"> • Consider ascension to the UN Convention against Corruption. • Strengthen the powers of the Ombudsman's office to effectively prosecute cases of corruption. • Awareness raising on the nature of corruption and how to address corrupt practices. • Ensure policies and legislation on the use of public resources is enforced. • Consult with relevant stakeholders about anti-corruption measures, including the establishment of an anti-corruption commission. 	<ul style="list-style-type: none"> • Government usage of public resources and decision-making is transparent.⁴⁵⁶ • Cases of corruption are independently investigated and prosecuted. • UN Convention against Corruption ratified. • All existing legislation and policies are compliant with the UN Convention against Corruption. • Cases of corruption are investigated and prosecuted by the Ombudsman.
<p>Ensure that all children are registered at birth and make every effort to register all persons not previously registered (Rec. 78/62, 78/63, 78/64).</p>	<ul style="list-style-type: none"> • Ensure policies on birth registration for health and education facilities are enforced. • Monitor numbers of births registered to map trends. • Ensure the ongoing management of a central database to ensure adequate recording, transmission, backup and safe keeping of data, as well as measures to protect individual's privacy. • Train service providers at the community level to undertake birth registration activities. • Ensure the provision of essential supplies and training in procedures for registration e.g. correct forms, submission guidelines. 	<ul style="list-style-type: none"> • Increase in the number of children registered at birth and register those previously unregistered.

<p>Continue its committed efforts in economic and social development and improving people's living standard so as to protect effectively the rights of its people (Rec. 78/65, 78/66, 79/27); continue implementing programmes and measures aimed at ensuring universal and quality health and education services for all its population (Rec. 78/67); and prioritise maternal health and basic education (Rec. 78.68, 78/69).</p>	<ul style="list-style-type: none"> • Assess current access to services especially for those living in rural and remote areas. • Develop a plan for implementation of essential services in consultation with communities, key stakeholders and implementing agencies. • Request funding and technical assistance from development partners/donors to improve service delivery. • Monitor and evaluate implementation of development policies, strategies and plans in consultation with relevant stakeholders. • # communications/requests for financial and technical assistance from the relevant UN bodies and regional/international organisations. 	<ul style="list-style-type: none"> • Access to adequate water, sanitation, education, health and essential services for all, which are fully funded and resourced. • Improvements in essential services for those living in both urban and rural areas. • Improvements in key development indicators including MDGs.
<p>With international assistance, intensify efforts against the spread of HIV and AIDS in the country, with increased attention to prevention and care for affected children (Rec. 78/70, 79/27)</p>	<ul style="list-style-type: none"> • Collaborate with civil society to ensure adequate testing facilities, particularly in rural and remote areas, as well as awareness raising, health promotion, and adequate access to treatment. • Ensure prevention messages are reaching communities and that they have the adequate resources to protect themselves from HIV. • Increase investment in clinical services to diagnose and treat HIV and AIDS. • Ensure policies and legislation are in place to protect children without adequate care, through strengthening of community based care structures. • Strengthen and review the HIV and AIDS structures including the National AIDS Council and Provincial AIDS Councils. 	<ul style="list-style-type: none"> • Accurate data collected on the rate of HIV across the country. • Communities have access to accurate information about how to protect themselves against HIV infection. • People living with HIV and AIDS have access to quality care and treatment.

<p>Continue its leading international efforts to tackle global warming, including by reminding developed countries and other major emitting states of their obligation to help promote and protect human rights by reducing greenhouse gas emissions to safe levels (Rec. 78/71).</p>	<ul style="list-style-type: none"> • # of climate change related international meetings attended and contributed to. • Prepare national climate change and sustainable development policies. • Correspondence and discussions with parties to the UN Framework Convention on Climate Change. 	<ul style="list-style-type: none"> • Regular engagement with the international community on climate change, including promotion of international cooperation. • Participated fully in HRC discussions on human rights and climate change. • Other parties to the UN Framework Convention on Climate Change lobbied to reach a global agreement on climate change.
<p>Take appropriate measures, in accordance with its international obligations, aimed at ensuring universal education, including free and compulsory primary education (Rec. 78/73, 79/59, 79/61, 79/62, 79/63, 79/64, 79/65, Rec. 79/66); and continue taking measures that favour the increase of enrolment rates (Rec. 78/72).</p>	<ul style="list-style-type: none"> • Conduct research into the situation of children in PNG, including why children are not accessing education. • Support the education department to measure and report changes in attendance, drop outs, quality of teaching and infrastructure on a regular basis. • Support communities, parents and children to raise awareness on the importance of education. • Address barriers to children accessing free education. • Address reasons why children are dropping out of school, especially girls. 	<ul style="list-style-type: none"> • Reduction in barriers to children accessing and attending education. • Increase in school attendance and reduction in drop outs. • Education is free and compulsory.

<p>Ensure protection against child labour and child prostitution (Rec. 79/37).</p>	<ul style="list-style-type: none"> • Draft specific laws to protect children from exploitation in partnership with international/regional organisations. • Review the application of policies/practices to identify areas that may need to be included. • Conduct consultations with relevant stakeholders (including relevant ministries) to discuss drafting legislation/policy. • Relevant Minister prepares Cabinet memo regarding proposed legislation. • Educate police and law enforcement officials on child rights. • Consult with civil society to ensure services are available to child victims and fill gaps as required. 	<ul style="list-style-type: none"> • Perpetrators of child labour practices/child prostitution prosecuted. • Services available for child victims. • Legislation approved by Parliament.
<p>Undertake effective measures to ensure the accessibility of legal and judicial services to persons in rural and remote areas (Rec. 79/49).</p>	<ul style="list-style-type: none"> • Conduct review of access to legal and judicial services especially in rural and remote areas. • Conduct awareness raising among rural population about available legal services and how to access them. • Address the cost of legal and judicial services, through the Office of the Public Solicitor. 	<ul style="list-style-type: none"> • Increased access to legal and judicial services by persons in rural and remote areas.
<p>Provide adequate judicial review and compensation for cases of government projects that have negative environmental impact on the land and resources of traditional landowners to ensure that their rights to property and right to environment are duly respected. Engagement with local communities in the decision-making process of any government project should also be promoted (Rec. 79/51, 79/58, 79/67).</p>	<ul style="list-style-type: none"> • Support the Ombudsman Commission to evaluate cases, make decisions and award compensation in these matters. • Ensure the timely resolution of land and property disputes. • Consult with local landowners and community members (including women) about proposed government projects and agree on fair compensation packages, if required. • Investigate cases of environmental damage and impact on communities' health and livelihoods. 	<ul style="list-style-type: none"> • Functioning redress mechanisms in place for communities to take complaints. • Communities engaged in decision making about government development projects.

<p>Step up efforts to improve and conserve the environment, including by strengthening the relevant laws and providing the public with the necessary information, education and awareness regarding the impacts of climate change and environmental pollution and degradation (Rec. 79/57).</p>	<ul style="list-style-type: none"> • Draft specific laws to protect and conserve the environment in partnership with international/regional organisations. • Review the application of policies/practices to identify areas that may need to be included. • Conduct consultations with relevant stakeholders (including relevant ministries) to discuss drafting legislation/policy. • Relevant Minister prepares Cabinet memo regarding proposed legislation. • Provide information and awareness raising as well as national and provincial campaigns to ensure communities have relevant and up to date information. • # of awareness activities/workshops for communities and officials on climate change including its connection to human rights, its consequences, as well as mitigation and adaptation planning. • Involve communities and officials in climate change planning and advocacy. 	<ul style="list-style-type: none"> • Environmental protection legislation approved by Parliament. • Number of fully funded projects implemented on climate change. • Adopt a rights based approach to tackling the effects of climate change. • Communities engaged in mitigation, advocacy and adaptation programmes.
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THEMATIC AREA – National and Regional Human Rights Institutions		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Establish a national human rights institution in accordance with the Paris Principles (Rec. 78/23, 78/24, 78/25, 78/26, 78/27, 78/28, 78/29, 78/30, 78/31, 78/32, 78/33, 78/34)</p>	<ul style="list-style-type: none"> · Conduct/attend consultations of relevant stakeholders on what regional and national human rights mechanisms are, the benefits and challenges, and the impacts of establishing one. · # communications/requests sent to regional/international bodies to help with establishment. · Draft a policy paper on the creation of a national or regional human rights institution. · Establish a timeline and pathway for establishment. · Create a select committee/WG to facilitate establishment. · Support PIFS Working Group on a Regional Human Rights Mechanism. 	<ul style="list-style-type: none"> · National/regional human rights institution established in accordance with the Paris Principles.⁴⁵⁷ · Enact legislation to create a national human rights institution or support the establishment of a regional body.
THEMATIC AREA – Gender Equality		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Develop further and implement policies and legislation aimed at gender equality and the empowerment of women, including combating all forms of gender-related violence (Rec. 78/16, 78/17, 78/18, 78/19, 78/20, 78/48, 79/22, 79/23, 79/24, 79/27, 78/47); utilising a comprehensive approach through the law and justice, civil society and health programs (Rec. 78/51); and addressing problems in impunity by strengthening law enforcement and the judicial system (Rec. 78/52, 79/48).</p>	<ul style="list-style-type: none"> · Draft national policy on women's equality and elimination of VAW. · Conduct human rights education workshops on VAW for civil servants, including police, legal service agencies and communities. · Hold consultations with relevant stakeholders (including relevant ministries) on the development of VAW legislation. · Draft legislation in partnership with international/regional organisations. · Review the application of policies/practices to identify areas that may need amendment with the introduction of VAW legislation. · Relevant Minister prepares Cabinet memo regarding proposed VAW legislation. 	<ul style="list-style-type: none"> · Strategy for reduction of VAW in PNG developed, implemented and fully funded. · Legislation and policies on VAW enacted. · Implement and resource the 'no drop' policy.

<p>Accelerate its review of the law on sorcery and sorcery-related killings and strengthen the enforcement of relevant legislation (Rec. 78/21, 78/22, 79/27, 79/45, 79/46).</p>	<ul style="list-style-type: none"> • Conduct a legislative and policy review/gap analysis to identify areas that need amendment. • Draft amendments in partnership with international/regional organisations. • Review the application of policies/practices to identify areas that may need amendment. • Conduct consultations with relevant stakeholders (including relevant ministries) to discuss amendments to existing legislation/policy. • Relevant Minister prepares Cabinet memo regarding proposed amendments. • Provide education to police and law enforcement agencies on the enforcement of the legislation alongside human rights training. • Provide community education and awareness on the legislation and consequences for perpetrators. 	<ul style="list-style-type: none"> • Legislation and policies strengthened to reduce the number of sorcery related killings. • Policy changes approved by Cabinet. • Amendments to legislation approved by Parliament.
<p>Undertake a national awareness campaign about the lasting negative effects of gender-based violence (Rec. 78/35).</p>	<ul style="list-style-type: none"> • Conduct consultations on a national awareness campaign with relevant stakeholders. • Utilise media (print, radio, TV, internet) to spread messages about the negative effects of gender-based violence. • Collaborate with NGOs, civil society and the private sector to support and promote the campaign. • Display messaging at national and regional events. • Encourage national figures and role models to promote and disseminate messages. 	<ul style="list-style-type: none"> • Awareness campaign undertaken about the negative effects of gender-based violence.

Support efforts to create safe places for women who have been victims of gender-based violence (Rec. 78/36).	<ul style="list-style-type: none"> Consult with civil society to ensure services are available to survivors and fill gaps as required. Support existing structures which provide services and safe places for survivors. Explore community-based support mechanisms and draw upon regional experience. 	<ul style="list-style-type: none"> Safe places exist for survivors of gender based violence.
Take measures to ensure greater representation in Parliament for women (Rec. 78/49)	<ul style="list-style-type: none"> Examine barriers to women being represented in Parliament and develop a strategy to address these barriers. Support women in leadership programs and initiatives. Review equal opportunity provisions in policies and legislation and examine whether temporary special measures or quotas need to be adopted. Develop an action plan for the implementation of temporary special measures. 	<ul style="list-style-type: none"> Adoption of relevant temporary special measures in policy and legislation. Increase in the number of women in leadership positions. <i>Equality and Participation Bill</i> adopted by Parliament.

THEMATIC AREA – Promotion and protection of human rights, education, and public awareness

Recommendation	Sample Progress Indicators	Sample Compliance Indicators
Ensure comprehensive human rights training for its law enforcement personnel with a view to prevent any excessive use of force and to investigate, prosecute and punish the perpetrators of such human rights violations, in accordance with international standards (Rec. 78/56, 78/57, 78/58, 78/59, 79/26, 79/40, 79/41).	<ul style="list-style-type: none"> # of police, law enforcement officials, staff of government ministries and other relevant stakeholders trained in human rights. WG established on the promotion and protection of human rights. Support human rights programs of civil society/NGOs. 	<ul style="list-style-type: none"> Human rights education institutionalised, with relevant curriculum in place. Ongoing budget allocated for human rights education. Take measures to mainstream human rights into public education (including education and training of health workers, teachers, public officials, lawyers, justice officials etc.).

<p>Pursue efforts with regional and international communities in seeking financial and technical assistance to advance human rights in Papua New Guinea (Rec. 78/74).</p>	<ul style="list-style-type: none"> • Request assistance from regional/international partners to implement human rights programs in PNG. • Encourage development partners and donors to prioritise programming and funding for human rights activities. • Support civil society organisations working in human rights to access funding and resources to continue operations. 	<ul style="list-style-type: none"> • Assistance from regional/international partners requested to advance human rights in PNG.
<p>Implement programmes to increase the human rights awareness of village and community leaders, and develop measures to ensure that decisions made by village courts are in line with international standards, particularly the principle of non-discrimination, and, at the same time, take measures to promote among its citizens greater awareness of their rights and access to the formal judicial system (Rec. 79/50)</p>	<ul style="list-style-type: none"> • # of village/community leaders and other community members trained in human rights, including international human rights standards, non-discrimination and gender. • Support human rights programs of civil society/NGOs. • Promote and develop awareness campaigns on citizen's rights, and access to the formal justice system, as well as information on redress mechanisms. 	<ul style="list-style-type: none"> • Decisions of village courts made in line with international human rights standards. • Take measures to mainstream human rights into public education (including education and training of health workers, teachers, public officials, lawyers, justice officials etc.). • Human rights education institutionalised, with relevant curriculum in place. • Ongoing budget allocated for human rights education.

THEMATIC AREA – Treaty Ratifications, treaty reporting and overall work with human rights mechanisms		
Recommendation	Sample Progress Indicators	Sample Compliance Indicators
<p>Consider ratification of core international human rights treaties and optional protocols (OP-CEDAW, CAT, OP-CAT, CED, CRPD, OP-CRC-AC, OP-CRC-SC, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, 1954 Convention relating to the Status of Stateless Persons, 1961 Convention on the Reduction of Statelessness) (Rec. 78/1, 78/2, 78/3, 78/4, 78/5, 78/6, 78/7, 78/8, 78/9, 79/1, 79/3, 79/4, 79/5, 79/6, 79/7, 79/10, 79/11, 79/12, 79/13, 79/14).</p>	<ul style="list-style-type: none"> • Create a timeline regarding treaty ratification. • # requests/correspondence/ communication to OHCHR to assist the government to ratify international instruments. • Draft a cabinet paper on ratification of international instruments and the implications for national policy and legislation. • Parliamentary debates on the ratification of international instruments. • Conduct consultations of relevant stakeholders (including relevant ministries) on plans to sign and ratify international treaties and to discuss impacts. • Conduct human rights training for police, law enforcement officials, staff of government ministries and other relevant stakeholders on the impacts of treaty domestication. 	<ul style="list-style-type: none"> • International treaties and protocols signed and ratified by the government.
<p>Withdraw the reservations issued to seven articles to the Convention on the Status of Refugees (Rec. 78/10).</p>	<ul style="list-style-type: none"> • Review reservations issued to seven articles of the Convention on the Status of Refugees. • Consult with relevant stakeholders (including government ministries) about the withdrawal of reservations and the subsequent consequences. • Request financial and technical assistance from regional/international partners and OHCHR to progress towards the withdrawal of reservations. 	<ul style="list-style-type: none"> • Reservations to the Convention on the Status of Refugees withdrawn.

<p>Improve its cooperation with the United Nations treaty bodies by reporting on the implementation of its obligations under the Conventions it has ratified; namely, the ICCPR, the ICERD, CEDAW and the CRC (Rec. 78/39); and request technical cooperation and assistance for the preparation and submission of reports to the UN treaty bodies (Rec. 78/40, 78/41).</p>	<ul style="list-style-type: none"> · Create a National Human Rights Coordination Group (made up of government and civil society) to coordinate all human rights treaty reporting. · Consider developing a common core document for all treaty reporting. · # of police, law enforcement officials, staff of government ministries and other relevant stakeholders trained in human rights. · # requests/correspondence to OHCHR, regional/international partners and treaty bodies regarding assistance with treaty reporting. 	<ul style="list-style-type: none"> · All treaty reporting obligations met. · All domestic legislation harmonised with ratified international treaties. · # of stakeholder reports submitted through the treaty reporting process. · Creation of a National Human Rights Coordination Group including a government/ civil service position to coordinate issues related to human rights (including reporting), which is fully funded and resourced. · Common core document developed and used for treaty reporting.
<p>Extend a standing invitation to special procedures mandate holders as a way of informing and supporting human rights reforms (Rec. 78/42, 78/43) including extending an invitation to the Special Rapporteur on violence against women (Rec. 78/44, 78/45, 78/46).</p>	<ul style="list-style-type: none"> · Consult with relevant stakeholders (including relevant ministries) about extending a standing invitation to all human rights special procedures, and the consequences (e.g. financial). · Provide information to the public about human rights special procedures. 	<ul style="list-style-type: none"> · Standing invitation extended to all human rights special procedures.
<p>Engage civil society in the UPR follow-up process (Rec. 78/75).</p>	<ul style="list-style-type: none"> · Publish an article/media release/ hold a press conference on the UPR process and the impact it could have on improving human rights. · Create a UPR Task Force/ Steering Committee (with relevant members from government and civil society) to coordinate a plan of action to implement accepted recommendations. · Ensure transparency in the process through publication of progress updates to media and relevant stakeholders. · Draw upon the knowledge and expertise of civil society to support the government in implementing recommendations. 	<ul style="list-style-type: none"> · Civil society is involved at all stages of follow up and implementation of recommendations from the review.

<p>Implement the recommendations of the Special Rapporteur on the question of torture in order to address the violations to fundamental rights highlighted by him during his visit, notably, the generalized ill-treatment of detainees, the total absence of rights of incarcerated persons, the degrading conditions of detention and the absence of a control mechanism, leading to excessive periods of preventative detention (Rec. 79/29).</p>	<ul style="list-style-type: none"> • Conduct a review of prison conditions and detention centres, particularly conditions for juveniles. • Allow access to detention centres by independent civil society organisations. • Review policies and practices of police and correctional service officers including providing adequate redress for detainees. • Train police and prison/detention centre officials in human rights and juvenile justice. • Investigate thoroughly any allegations of torture, and bring perpetrators to account. 	<ul style="list-style-type: none"> • Recommendations of the Special Rapporteur on the question of torture implemented. • Prison conditions are in compliance with international standards.⁴⁵⁸ • Detainees have effective means of redress when their rights are violated. • Treatment of prisoners is in compliance with international standards.⁴⁵⁹
<p>Circulate and implement the recently adopted rules on the treatment of women prisoners and non-custodial measures for women offenders, otherwise known as the Bangkok Rules, and seek necessary support from such relevant agencies as UNODC and OHCHR (Rec. 79/47).</p>	<ul style="list-style-type: none"> • Raise awareness of the Bangkok rules amongst government officials, law enforcement personnel and the community. • Provide training for police and correctional services on the Bangkok rules. • Investigate thoroughly any allegations of mistreatment of female prisoners, and bring perpetrators to account. • # requests/correspondence with UNODC and OHCHR about technical and financial assistance to implement the Bangkok rules. 	<ul style="list-style-type: none"> • Bangkok Rules implemented in PNG.

ANNEX 1

Country Recommendation Tables

Tonga

THEMATIC AREA – Justice and Law Reforms	
Recommendation	Accepted or Rejected
Continue and speed up the democratisation process (Rec. 63/1, 63/2).	Accepted
Continue to request technical assistance and financial support to redraft the Kingdom's Constitution (Rec. 63/20).	Accepted
Continue to uphold the core values that are in the Tongan constitutional and customary history, in its work to ensure full compliance with human rights and fundamental freedoms for all Tongans (Rec. 63/26).	Accepted
To consider a complete abolition of the death penalty (Rec. para 26(c)).	Rejected
THEMATIC AREA – Thematic Human Rights Issues (Prevention of Torture, education, climate change, racism, disability)	
Recommendation	Accepted or Rejected
Consider the implementation of recommendations by special procedures so that there are institutional safeguards against harsh treatment by police and security forces. (Rec. 63/4).	Accepted
Adopt measures to strengthen the protection of freedom of expression, information and the press (Rec. 63/21, 63/22).	Accepted
Pay increased attention to persons with disabilities and their related needs (Rec. 63/28).	Accepted
Take all the possible anti-corruption measures (Rec. 63/29).	Accepted
Request technical assistance and financial support to improve education services (Rec. 63/20); and continue to promote its ambitious goals in education (Rec. 63/10).	Accepted
To launch a credible investigation into reports that surfaced following the riots and prosecute offenders (Rec. para 27).	Rejected
To amend legal provisions that criminalize some forms of sexual activity between consenting adults and decriminalize sexual activity between consenting adults (Rec. para 28(b), 31(b), 39(b)).	Rejected
To continue to criminalize consensual same sex, which is outside the purview of universally accepted human rights norms, according to Tonga's national legislation (Rec. para 58(b)).	Rejected
To facilitate extended access to prisons for NGOs and that it implements the recommendations contained in the report of the Community Para-Legal Taskforce on Human Rights with regard to persons detained by the security forces (Rec. para 28(c)).	Rejected
To take steps to eliminate graft within the public sector so that the enjoyment of human rights is not imperiled by rent-seeking within Government (Rec. para 31(f)).	Rejected

THEMATIC AREA – National and Regional Human Rights Institutions	
Recommendation	Accepted or Rejected
Establish a national human rights institution in accordance with the Paris Principles (Rec. 63/23, 63/24); or create, if not a national human rights institution, at least one at the level of the group of islands it belongs to, so that they may more effectively improve their human rights performance and implement their human rights obligations (Rec. 63/25).	Accepted
THEMATIC AREA – Gender Equality	
Recommendation	Accepted or Rejected
Improve the ratio of women in leading positions in the country (Rec. 63/10)	Accepted
Pursue its efforts in order to curb the violence against women (Rec. 63/11)	Accepted
Systematically and continuously integrate a gender perspective in the follow-up process to the review (Rec. 63/12)	Accepted
Enact laws to protect women in employment free from any form of discrimination (Rec. 63/9)	Accepted
Consider signing and ratifying CEDAW and consider especially article 15 and 16 thereof which relate to the equal right of women to administer property and the equal rights of both spouses in respect of the ownership, acquisition, management, enjoyment and disposition of property; continue to proceed with the work of reviewing and making necessary adjustments to relevant domestic laws and regulations for the prompt ratification of CEDAW (Rec. 63/6, 63/7)	Accepted
To amend legislation discriminating against women in the fields of inheritance, ownership to land and child support.” (Rec. para 38(c), 39(a)).	Rejected
THEMATIC AREA – Promotion and protection of human rights, education, and public awareness	
Recommendation	Accepted or Rejected
Strengthen its efforts in the area of human rights education, training of public officials and on the participation of civil society in the promotion and protection of human rights (Rec. 63/19, 63/20), including through international and regional cooperation (Rec. 63/14); and continue its endeavours towards better serving its people by securing a higher standard of human rights (Rec. 63/27).	Accepted
Follow-up on the requests for capacity-building and technical assistance on human rights (Rec. 63/18).	Accepted
THEMATIC AREA – Treaty Ratifications, treaty reporting and overall work with human rights mechanisms	
Recommendation	Accepted or Rejected
Consider ratification of core international human rights treaties and optional protocols (IC-CPR, ICESCR, CEDAW, OP-CEDAW, CAT and OP-CRC-SC) (Rec. 63/3, 63/5, 63/6, 63/7); and advise potential donor agencies of the type of technical assistance that would help to meet its treaty body reporting obligations (Rec. 63/13).	Accepted
Submit regularly its reports to the treaty bodies of the conventions it is party to, like the Committee on the Rights of the Child and the Committee on the Elimination of Racial Discrimination (Rec. 63/8, 63/17).	Accepted

Continue cooperating with civil society in the implementation of the outcome process (Rec. 63/30); share its experiences of the UPR with other Pacific Island States (Rec. 63.15) and officially seek to renew its request for assistance to the OHCHR in this respect and also through the UPR Trust Fund established specifically to assist in the implementation of recommendations emanating from the UPR (Rec. 63/16).	Accepted
Participate more fully with international human rights mechanisms, especially special procedures of the Human Rights Council. (Rec. 63/3).	Accepted
Ratify the Rome Statute of the International Criminal Court (Rec. para 26(b)).	Rejected

Tuvalu

THEMATIC AREA – Justice and Law Reforms	
Recommendation	Accepted or Rejected
Prioritise necessary reforms to modernise legislation and eliminate all forms of discrimination; and continue efforts to harmonise national legislation with international human rights instruments (Rec. 67/9, Rec. 67/10).	Accepted
Convene the Court of Appeal in the interests of the pending appeal to the High Court ruling in 2005 on the case of Teonea v Kaupule (Rec. 67/13).	Accepted
Make the necessary improvements in the field of legislative reform on the punishment of sexual abuse of children, land, family laws (Rec. 68/3) and abuse against minors and to eliminate corporal punishment (Rec. 68/8).	Accepted
Incorporate fully in its legislation the provisions of the CRC to enhance the protection of children's rights (Rec. 68/2); and to strengthen public policy guaranteeing the rights of the child, with special attention to children without parental care (Rec. 68/1).	Accepted
THEMATIC AREA – Thematic Human Rights Issues (Prevention of Torture, education, climate change, racism, disability)	
Recommendation	Accepted or Rejected
Amend the Constitution to prohibit discrimination against persons with disabilities (Rec. 68/5).	Accepted
Keep working in cooperation with OHCHR on the theme of the upcoming Review Conference on racism, racial discrimination, xenophobia and related intolerance (Rec. 67/11).	Accepted
Raise the awareness of the population of the impact of climate change and involve the population more, promote international cooperation to combat climate change, continue to engage with the international community, participate in discussions in the Council (Rec. 67/15).	Accepted
Accord appropriate attention to the education sector in the medium and long term as the only way to correct the lack of human resources and institutional capacities in the country (Rec. 67/16).	Accepted
Improve the implementation of the law on granting asylum (Rec. 68/9).	Accepted
Recommended the decriminalization of consensual same-sex activity between adults and the adoption of measures to promote tolerance in this regard, which would also facilitate more effective educational programmes for the prevention of HIV/AIDS (Rec para 31(b)).	Rejected

THEMATIC AREA – National and Regional Human Rights Institutions	
Recommendation	Accepted or Rejected
Establish a human rights institution in accordance with the Paris Principles and address a call by Tuvalu for technical assistance in the establishment of a human rights institution (Rec. 67/7, 67/9) and effectively strengthen its human rights institutional framework (Rec. 67/6, Rec. 67/7, Rec. 68/3).	Accepted
Consider appointing an Ombudsman with responsibility for investigating alleged violations of human rights as a short-term measure (Rec. 68/4).	Accepted
THEMATIC AREA – Gender Equality	
Recommendation	Accepted or Rejected
Develop a comprehensive strategy to reduce domestic violence in Tuvalu including by raising awareness of the issue and identifying ways to combat such violence (Rec. 67/12).	Accepted
Eliminate any legislation that has discriminatory effects against women, implement the relevant recommendations of CEDAW, strengthen measures to promote the equal rights of women, amend the constitution to include freedom from discrimination on the grounds of sex; (Rec. 68/6).	Accepted
Penalise rape, whoever is responsible, including marital rape (Rec. 68/7).	Accepted
To continue to combat discriminatory societal behaviours, including by working at reforming domestic laws, in particular land and family laws, which require amendments in order for Tuvalu to in compliance with the Convention on the Elimination of Discrimination against Women (Rec para 50(a)).	Rejected
THEMATIC AREA – Promotion and protection of human rights, education, and public awareness	
Recommendation	Accepted or Rejected
Promote concrete programs to raise awareness of human rights (Rec. 67/6); conduct human rights training for officers responsible for dealing with law enforcement (Rec. 67/9); promote and protect human rights (Rec. 67/14).	Accepted
The features of Tuvalu's legal framework, which incorporates customary law but excludes those precepts which may be perceived as violations of human rights, and which always gives precedence to the interpretation of law that is compatible with the international obligations, be singled out as good practices in the field of human rights (Rec. 68/10).	Accepted
THEMATIC AREA – Treaty Ratifications, treaty reporting and overall work with human rights mechanisms	
Recommendation	Accepted or Rejected
Consider ratification of core international human rights treaties particularly (ICCPR, ICESCR, ICERD, CAT) (Rec. 67/1, 67/2, 67/3) and make use of technical assistance from OHCHR to ratify main international instruments (Rec. 67/2).	Accepted
To meet its reporting obligations under CRC (Rec. 67/4).	Accepted
Extend standing invitation to all human rights special procedures (Rec. 67/5).	Accepted
Work with civil society on follow-up to the review (Rec.67/17).	Accepted

Vanuatu

THEMATIC AREA – Justice and Law Reforms	
Recommendation	Accepted or Rejected
Take further steps to ensure the independence of the judiciary (Rec. 56/37); strengthen the functioning of its judiciary and its human rights institutional framework (Rec. 56/31); and enhance the capacity, neutrality and independence of the judiciary (Rec. 56/37).	Accepted
Review its domestic legislation and take appropriate measures to bring it into full conformity with all human rights conventions to which it is a party (CEDAW, CRC) (Rec. 56/9).	Accepted
Consider reviewing the legislation on the minimum age for criminal responsibility with the purpose of bringing it into full conformity with the CRC (Rec. 56/13).	Accepted
THEMATIC AREA – Thematic Human Rights Issues (Prevention of Torture, education, climate change, racism, disability)	
Recommendation	Accepted or Rejected
Strengthen its efforts to implement the CRPD by amending the Constitution to prohibit discrimination against persons with disabilities and support the role of disabled persons' organizations (Rec. 56/14).	Accepted
Expedite action to address the two issues contained in paragraphs 30(a) and (b) of the national report through the proposed amendment to the Representation of the People Act (Rec. 56/15).	Accepted
Promote awareness-raising programmes on the importance of education of children (Rec. 56/20); and intensify efforts to ensure access to free compulsory education for all children in the country (Rec. 56/21) as well as promote effective efforts to keep children in schools, particularly girls (Rec. 56/42, 56/43).	Accepted
Consider imposing adequate sanctions on parents who fail to send their children to school (Rec. 56/20).	Rejected
Pursue the initiative to establish Child Desk Officers within the Department of Women's Affairs (Rec. 56/21).	Accepted
Take efficient measures to combat corruption (Rec. 56/22).	Accepted
Take necessary measures to ensure that discrimination on the basis of disability, economic status, sexual orientation or living with HIV/AIDS is prevented (Rec. 56/25).	Accepted
Review and continue working towards improving conditions in prisons and detention centres, in particular where juveniles are concerned; allow access to detention facilities by civil society organizations; and ensure that detainees have immediate and effective means of redress and protection when their rights are violated (Rec. 56/27, 56/28); ensure a thorough and timely investigation by the Ministry of Justice and Social Welfare of the allegations in the detainee report and subsequently reform the practices of the Correctional Services officers and police forces as needed (Rec. 56/29); adopt a proactive approach to implement Accepted any recommendations (Rec. 56/30); ensure effective investigation into all allegations of torture (Rec. 56/33).	Accepted
Take all measures to eradicate the practice of corporal punishment in the family and juvenile justice systems and to ensure effective implementation of the ban on this punishment in schools (Rec. 56/36).	Accepted

Proceed with its efforts to improve the health system, combat diseases (e.g. HIV and AIDS, malaria), improve maternal health and reduce child mortality rates (Rec. 56/40); and step up its efforts to ensure adequate access to quality basic health, education, water and sanitation services, particularly for those living in isolated rural areas and for vulnerable groups, in particular children (Rec. 56/41).	Accepted
Request the international community to reduce greenhouse gas emissions to 'safe' levels, and fund adaptation measures to help Vanuatu cope with changes that are already taking place; and with the support and cooperation of the international community, seek to build up its capacities to effectively respond to natural disasters (Rec. 56/47).	Accepted
THEMATIC AREA – National and Regional Human Rights Institutions	
Recommendation	Accepted or Rejected
Establish a national human rights institution in accordance with the Paris Principles (Rec. 56/16, 56/48) with the assistance of OHCHR and support from the international community (Rec. 56/48).	Accepted
Continue strengthening the role of the Ombudsman's office, including its ability to follow up on the results of its investigations, and namely to increase efforts to provide it with sufficient funding to allow for more aggressive prosecution of corruption cases (Rec. 56/17, 56/38); and amend the judicial rules so that the Ombudsman's reports are more easily admissible in court (Rec. 56/38).	Accepted
THEMATIC AREA – Gender Equality	
Recommendation	Accepted or Rejected
Take prompt action to implement the Family Protection Act (Rec. 56/8) and adopt further comprehensive measures to combat violence against women (Rec. 56/32, 56/34) including by increasing public awareness campaigns to sensitize the community on the issue, making legal aid available to all victims of violence (Rec. 56/34, 56/35, 56/32) and adopting a "no drop" policy to ensure that all cases of domestic violence are properly investigated (Rec. 56/32).	Accepted
Review and amend all relevant legislation so as to eliminate all forms of discrimination against or marginalization of women, and continue to incorporate CEDAW principles into its domestic legislation (Rec. 56/9, 56/10, 56/11, 56/12); in particular in the job market and national political life through support of the National Council for Women (Rec. 56/24, 56/39); and ensure the primacy of laws protecting the equality of women over customary practices that are contrary to such principles (Rec. 56/26).	Accepted
THEMATIC AREA – Promotion and protection of human rights, education, and public awareness	
Recommendation	Accepted or Rejected
Exhaustively conduct human rights education and awareness-raising activities to inform all citizens of their rights (Rec. 56/19, 56/31).	Accepted
Support further human rights training for police, corrections, lawyers, and justice officials (Rec. 56/28, 56/31).	Accepted
Seek from the international community and the relevant UN agencies, the technical and financial assistance needed to help the government to overcome challenges and the constraints; in order to strengthen the capacity of Vanuatu in the area of human rights (Rec. 56/44, 56/46).	Accepted

THEMATIC AREA – Treaty Ratifications, treaty reporting and overall work with human rights mechanisms	
Recommendation	Accepted or Rejected
Consider ratification of CAT, OP-CAT, and the UN Convention against Corruption. (Rec. 56/1, 56/4) and make good use of technical assistance from the OHCHR to accede to the ICESCR, the ICERD and the CAT (Rec. 56/45).	Accepted
Follow up its ratification of the CEDAW and the CRC (Rec. 56/6, 56/9).	Accepted
Step up cooperation with UN Special Procedures (Rec. 56/23).	Accepted
Involve civil society organizations in the follow-up to this UPR (Rec. 56/18).	Accepted
Within the spirit of the Durban Review Conference and Human Rights Council resolution 9/12, consider the ratification of the International Convention on the Elimination of All Forms of Racial Discrimination (Rec. 56/2).	Rejected
Ratify the International Covenant on Economic, Social and Cultural Rights (Rec. 56/3).	Rejected
Keep under consideration the possible ratification of the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Rec. 56/5).	Rejected
Consider acceding to the Second Optional Protocol to the International Covenant on Civil and Political Rights (Rec. 56/7).	Rejected

Fiji

THEMATIC AREA – Justice and Law Reforms	
Recommendation	Accepted or Rejected
Align domestic legislation with international standards (on detention) (Rec. 71/9).	Accepted
To make every effort to achieve a sustainable return to democracy and constitutional rule at the earliest time possible (Rec. 71/11, 71/18, 71/20), reinstate the judiciary and ensure its independence (Rec. 71/84, 71/85, 71/86, 71/87, 71/88, 71/89, 71/91, 71/92), hold free and fair elections (Rec. 71/22, 71/23, 71/25, 71/26, 71/83, 71/85) repeal the Public Emergency Regulations (Rec. 71/28, 71/29, 71/30, 71/31, 71/33, 71/33, 71/34, 71/35, 71/76), and reinstate the full independence of the Human Rights Commission (Rec. 71/21), which will enable Fiji to fully participate in the international community, including the PIF and the Commonwealth. (Rec. 71/19).	Accepted
To uphold the rule of law, including human rights in domestic law, by immediately reinstating the 1997 Constitution (Rec. 71/12, 71/35, 71/95); ensuring that human rights are afforded full legal and constitutional protection in Fiji (Rec. 71/15, 71/27); and accord the utmost importance, in the formulation of the new Constitution, to the promotion and protection of human rights (Rec. 71/16, 71/32).	Accepted

To request the international community to do its part and show its goodwill by believing in and expressing support for democratic and human rights reform in Fiji (Rec. 71/99) and request aid and assistance from the international community to assist in the democratization process (Rec. 71/100).	Accepted
To consider establishing, as soon as possible in 2010, a full constitutional assembly that will shape the future of Fiji for Fijians and by Fijians (Rec. 71/13).	Rejected
To take the appropriate measures to reinstate the legitimate authority, as this is crucial for the strengthening of the country's ability to guarantee human rights (Rec. 71/14)	Rejected
To ensure that human rights are explicitly protected in domestic law, including by reinstating the 1997 Constitution and immediately restoring the judges, magistrates and other judicial officers removed by President Iloilo on 10 April 2009 (Rec. 71/17).	Rejected
To take immediate steps towards holding democratic elections before the end of 2010, in order to restore democratic institutions and processes in Fiji (Rec. 71/24).	Rejected
To revoke any decree that prevents the courts from considering the legality of Government actions, and to abide by future judicial decisions (Rec. 71/90).	Rejected
THEMATIC AREA – Thematic Human Rights Issues (Prevention of Torture, education, climate change, racism, disability)	
Recommendation	Accepted or Rejected
Abolish the application of the death penalty under any circumstances (Rec. 71/57, 71/58, 71/59) including crimes prohibited in the Military Code (Rec. 71/8).	Accepted
To ensure the full enjoyment by all children of the rights recognised in the CRC, particularly with regard to access to education and health services (Rec. 71/10).	Accepted
Abolish any policy or decree that restricts the freedom of the media or the rights of freedom of association, expression and movement (Rec. 71/28, 71/34, 71/73, 71/74, 71/76, 71/77), enable the media to operate freely (Rec. 71/78, 71/80, 71/81), as well as ensuring protection from harassment for political activists, human rights defenders and journalists (Rec. 71/33, 71/60, 71/61, 71/82) and ensuring that all crimes against them are fully and independently investigated and prosecuted (Rec. 71/61, 71/62, 71/63, 71/71, 71/93, 71/94); put an end to criminal prosecutions against human rights defenders (Rec. 71/64, 71/65, 71/75, 71/79).	Accepted
To enhance and, where appropriate, review the implementation of medium- and long-term strategies, including the Strategic Development Plan 2007-2011, the 2020 Plan for Indigenous Fijians, the National Policy for Persons Living with Disabilities 2008-2018 and the national AIDS strategy, inter alia, with a view to achieving further gains in the promotion and protection of human rights in the country (Rec. 71/42).	Accepted
To examine the possibility of promoting the adoption of a code of ethics for investors, including in the tax-free zones (Rec. 71/56).	Accepted
To take further measures to prevent and combat the sexual exploitation of children (Rec. 71/68, 71/69).	Accepted
To intensify its development programs focusing on alleviating poverty and ensuring adequate standards of life for Fijians, while seeking technical and financial assistance, whenever needed, from the relevant United Nations bodies (Rec. 71/96, 71/101).	Accepted

To restore the right to receive pensions for those deprived of it merely because they had expressed an opinion against the government (Rec. 71/97).	Accepted
To seek the assistance of the international community in adapting to climate change and developing its capacities to address the adverse effects of climate change on the enjoyment by its citizens of their human rights (Rec. 71/103).	Accepted
THEMATIC AREA – National and Regional Human Rights Institutions	
Recommendation	Accepted or Rejected
To adhere to the Paris Principles, which address the status and the functioning of national institutions for the protection and promotion of human rights, by ensuring the independence of Fiji's Human Rights Commission (Rec. 71/37, 71/38, 71/39, 71/40); and to seek the support and technical assistance of OHCHR to ensure effective compliance by the Fiji Human Rights Commission with the Paris Principles (Rec. 71/98).	Accepted
To revoke the Fiji Human Rights Commission Decree, to lift restrictions on investigations and to take other measures to ensure that the National Human Rights Commission can operate in accordance with the Paris Principles (Rec. 71/36).	Rejected
THEMATIC AREA – Gender Equality	
Recommendation	Accepted or Rejected
To enhance measures to combat discrimination against women in all sectors of society (Rec. 71/55) and address the issue of violence against women (Rec. 71/56); including the adoption of proposed laws on domestic violence and sexual offences, thereby prohibiting practices that legalize violence against women (Rec. 71/66).	Accepted
To take appropriate measures to provide free legal and psychological assistance to victims of domestic and sexual violence (Rec. 71/67).	Accepted
THEMATIC AREA – Promotion and protection of human rights, education, and public awareness	
Recommendation	Accepted or Rejected
To integrate the component of human rights education and training into its education system (Rec. 71/43).	Accepted
To engage partners at the national, regional and international levels in efforts to build the human rights capacities of government personnel, particularly judicial and law enforcement personnel (Rec. 71/102); and provide its police force with training to ensure respect for the right to freedom of religion (Rec. 71/72).	Accepted
THEMATIC AREA – Treaty Ratifications, treaty reporting and overall work with human rights mechanisms	
Recommendation	Accepted or Rejected
Consider ratification of core international human rights treaties and optional protocols (IC-CPR, ICCPR-OP 1 and ICCPR-OP 2, ICESCR, OP-ICESCR, CAT, OP-CAT, CPRD, OP-CPRD, OP-CEDAW, OP-CRC-AC and OP-CRC-SC, ICCPED) (Rec. 71/1, 71/2, 71/3, 71/4, 71/5, 71/6, 71/7, 71/8, 71/9).	Accepted
Submit overdue reports in a timely manner (Rec. 71/6).	Accepted
Cooperate fully with UN human rights mechanisms (Rec. 71/44); consider extending a standing invitation to all special procedures of the Human Rights Council (Rec. 71/45, 71/46); and respond positively to requests for visits made by special procedures/rappor-teurs. (Rec. 71/47, 71/48, 71/49, 71/50, 71/51, 71/52, 71/53, 71/54).	Accepted

Kiribati

THEMATIC AREA – Justice and Law Reforms	
Recommendation	Accepted or Rejected
Incorporate into domestic legislation the treaties that Kiribati has ratified (Rec. 66/10, 66/11, 66/14); and ensure that human rights are afforded full legal protection (Rec. 66/16).	Accepted
Proceed with child protection legislative reform and implement outstanding legislative reforms to prevent violence against children and child abuse in accordance with its obligations under the Convention on the Rights of the Child (Rec. 66/61, 66/19).	Accepted
Implement outstanding legislative reforms, and review/amend the 1977 Penal Code to prevent violence against children, child abuse, exploitation, abduction, corporal punishment, child pornography and sales, and trafficking in accordance with its obligations under the CRC (Rec. 66/20, 66/21, 66/65).	Prepared to Consider
Review its legislation to ensure that restrictions on the freedom of expression do not go beyond those permitted by the ICCPR, even though Kiribati has not yet ratified it (Rec. 66/22).	Prepared to Consider
Amend its Constitution so as to expand the prohibited grounds of discrimination to include not only gender, but also sexual orientation, disability, health status and economic status (Rec. 66/41).	Prepared to Consider
THEMATIC AREA – Thematic Human Rights Issues (Prevention of Torture, education, climate change, racism, disability)	
Recommendation	Accepted or Rejected
Decriminalize homosexuality by abrogating the legal provision that currently penalizes sexual relations with persons of the same sex, and sign the joint statement made in the General Assembly in December 2008 on human rights, sexual orientation and gender identity (Rec. 66/23).	Prepared to Consider
Accelerate, as appropriate, the pursuit of the worthy objectives set out in the National Development Plan 2008–2011 (Rec. 66/32).	Accepted
Extend government funding to schools for persons with disabilities (Rec. 66/33); and proceed with national plans of action on disabilities (Rec. 66/59).	Accepted
Establish a comprehensive child labour policy (Rec. 66/34).	Prepared to Consider
Adopt policies and measures to combat child labour and the commercial exploitation of children, in accordance with the recommendations made by the Committee on the Rights of the Child (Rec. 66/71).	Accepted
Take all measures necessary to address all forms of discrimination, including social discrimination and discrimination against children with disabilities in remote areas (Rec. 66/51).	Accepted
Eliminate all forms of de facto discrimination against children belonging to economically disadvantaged families (Rec. 66/54).	Prepared to Consider
Prohibit the corporal punishment of children at home, at school, in penal institutions, in alternative-care settings and as a traditional form of sentencing (Rec. 66/66, 66/67).	Prepared to Consider

Enhance the enjoyment of the right to education for all, particularly for girls (Rec. 66/68, 66/75) and allocate the necessary budget to ensure free, quality primary education in all regions with trained teachers and improvements to infrastructure (Rec. 66/76, 66/77, 66/78).	Accepted
Ensure the full implementation of juvenile justice standards (Rec. 66/69).	Accepted
Cease immediately the practice of not segregating women, children and men in prison facilities (Rec. 66/70).	Prepared to Consider
Continue to implement programmes aimed at ensuring that all its people have free quality health and education services (Rec. 66/72); and combat the spread of HIV and AIDS (Rec. 66/73, 66/74).	Accepted
Redouble efforts and pursue activities aimed at ensuring respect for environmental legislation (Rec. 66/80); and study the possibility of developing a national environmental charter or a similar instrument to define the role and responsibilities of, as well as the coordination of action by, all relevant parties, including civil society (Rec. 66/81).	Accepted
Actively pursue international cooperation aimed at adapting to the adverse effects of climate change (Rec. 66/82).	Accepted
Take further action to ensure that children who have been subjected to sexual exploitation are treated as victims and that the perpetrators are brought to justice (Rec. 66/62, 66/68); establish an effective mechanism for receiving, monitoring and investigating reports of child abuse and neglect (Rec. 66/64).	Accepted
Adopt and implement Penal Code reforms and other measures in compliance with international human rights standards in order to combat violence against children in all its forms, and provide adequate reintegration and rehabilitation for the victims (Rec. 66/63).	Prepared to Consider
THEMATIC AREA – National and Regional Human Rights Institutions	
Recommendation	Accepted or Rejected
Consider, with the support of the international community and UN specialised agencies, the establishment of a national human rights institution (Rec. 66/27, 66/28).	Prepared to Consider
Promptly establish a National Human Rights Institution that operates in accordance with the Paris Principles, seeking international assistance as necessary (Rec. 66/24, 66/25, 66/26, 66/29)	Rejected
THEMATIC AREA – Gender Equality	
Recommendation	Accepted or Rejected
Guarantee that its laws and policies are in conformity with the CEDAW, and take measures to combat practices that perpetuate discrimination against women and their marginalisation, particularly with regard to their inheritance and citizenship, and adopt specific legislation properly penalising domestic violence (Rec. 66/12, 66/42, 66/43, 66/44, 66/45, 66/50, 66/52).	Prepared to Consider
Take the measures necessary to bring its national legislations into conformity with its international obligations under the CEDAW (Rec. 66/14); enact appropriate legislation and national action plans that address gender equality and violence against women (Rec. 66/17, 66/55, 66/59, 66/46, 66/47), criminalise sexual harassment (Rec. 66/56) and ensure that it is properly enforced through, for example, increased police capacity building and the appointment of female officers (Rec. 66/57, 66/60).	Accepted
Ensure equal participation for women in all decision-making positions in all areas of public administration (Rec. 66/48, 66/49, 66/12 ¹).	Accepted

¹ The government stated it is prepared to consider this recommendation but not accept it.

Expand its definition of the concept of rape in such a way as to clearly prohibit sexual harassment, and also define domestic violence in its criminal law (Rec. 66/18).	Prepared to Consider
Intensify its efforts to include sex and gender as prohibited grounds of discrimination in the Constitution (Rec. 66/38, 66/39, 66/40, 66/41, 66/42, 66/45).	Prepared to Consider
Ensure that all girls and women are accepted as students, independent of their status as engaged, married or pregnant (Rec. 66/53).	Prepared to Consider
Make available better support networks to protect women victims (Rec. 66/58).	Accepted
THEMATIC AREA – Promotion and protection of human rights, education, and public awareness	
Recommendation	Accepted or Rejected
Institute mechanisms for the effective guarantee of the human rights of all its citizens, including awareness-raising activities (Rec. 66/30) through the media and educational means, of the value of human rights and respect for human rights, as well as violence against women (Rec. 66/31); and consider developing human rights education and training programmes in the context of upgrading its national education system (Rec. 66/79).	Accepted
THEMATIC AREA – Treaty Ratifications, treaty reporting and overall work with human rights mechanisms	
Recommendation	Accepted or Rejected
Make a long-term plan for the step-by-step ratification of or accession to all core international human rights instruments (Rec. 66/2); and establish a committee to study human rights conventions in order to pave the way for accession to such conventions (Rec. 66.1).	Accepted
Consider the possibility of ratifying other core human rights instruments (Rec. 66/3).	Prepared to Consider
Urgently strengthen its commitment to the international human rights system in order to receive specialised help, through the extension of a standing invitation to all special procedures (Rec. 66/35, 66/36, 66/37).	Prepared to Consider
Involve civil society, including human rights non-government organisations, in the follow-up to this review, especially in addressing gender discrimination and domestic violence (Rec. 66/83).	Accepted
Consider ratification of core international human rights treaties and optional protocols to which Kiribati is not already a party (ICCPR, ICCPR-OP 1, ICCPR-OP 2, OP-CEDAW, CAT, OP-CAT, OP-CRC-AC, OP-CRC-SC, CRPD, OP-CRPD, ICCPED, ICESCR, OP-ICESCR, Rome Statute to the ICC, ICERD) (Rec. 66/4, 66/5, 66/6, 66/7, 66/8, 66/9, 66/13)	Rejected
Withdraw its reservations to the CRC and fully incorporate that instrument into its national Legislation (Rec. 66/13).	Rejected

Republic of the Marshall Islands

THEMATIC AREA – Justice and Law Reforms	
Recommendation	Accepted or Rejected
Review and revise existing laws to ensure that they are nondiscriminatory, in accordance with international standards (Rec. 56/23); reinforce constitutional protections against discrimination to include sex, disability, sexual orientation and gender identity as prohibited grounds for discrimination (Rec. 56/24, 56/28); and ensure that human rights are afforded full legal protection (Rec. 56/13).	Accepted

THEMATIC AREA – Thematic Human Rights Issues (Prevention of Torture, education, climate change, racism, disability)	
Recommendation	Accepted or Rejected
Work to implement the Pacific Regional Strategy on Disability (Rec. 56/7); develop comprehensive legislation and policies in favour of persons with disabilities, particularly with regard to non-discrimination, accessibility, education and awareness-raising; amend its domestic law to prohibit discrimination based on disability, and adopt a national plan to address the needs of the disabled community (Rec. 56/29).	Accepted
Strengthen the adoption of necessary measures to implement a national programme aimed at eliminating violence against children and neglect, and adopt a plan of action to combat any form of violence against children (Rec. 56/20); and provide children with child-sensitive mechanisms for lodging complaints in case they are victims of violence and sexual exploitation (Rec. 56/21).	Accepted
Develop appropriate labour legislation in relation to children, in line with the state's obligations under CRC, ensuring the inclusion of ILO Conventions No. 138, on the Minimum Age for Admission to Employment, and No. 182, on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (Rec. 56/22).	Accepted
Continue implementing strategies and plans for national socio-economic development; (Rec. 56/30) continue implementing programmes and measures aimed at ensuring universal health care and quality education services for all its population (Rec. 56/31, Rec. 56/33).	Accepted
Seek assistance from the UN specialised agencies, funds and programmes, especially within the framework of partnerships, with a view to realising human rights in the areas of education, health, housing and development, and in addressing the legacy of nuclear tests (Rec. 56/32).	Accepted
Seek to improve health outcomes for children, including by improving immunization rates and ensuring that development assistance funding reaches children in the outer islands (Rec. 56/34).	Accepted
Intensify efforts to improve the living standards in detention facilities; improve promptly both the prison system itself and the treatment of all prisoners to meet international recognized standards (Rec. 56/35).	Accepted
Take a rights-based approach to adaptation to climate change (Rec. 56/36).	Accepted
THEMATIC AREA – National and Regional Human Rights Institutions	
Recommendation	Accepted or Rejected
Establish a national human rights institution in accordance with the Paris Principles (Rec. 56/9, 56/10).	Noted
Nominate an ombudsmen for children (Rec. 56/12).	Accepted
Establish a national human rights institution, including the nomination of an ombudsperson for children, provided with adequate human and financial resources to promote and strengthen accessibility for children and to enable children to submit complaints (Rec. 56/11).	Noted

THEMATIC AREA – Gender Equality	
Recommendation	Accepted or Rejected
Prioritize legislation on women's rights, gender equality and domestic violence, and implement domestic policies aimed at eliminating violence against women; establish a national strategy to combat violence against women and girls, and take appropriate measures for coordinated, multisectoral responses in this regard; develop a national plan of action to combat violence against women (Rec. 56/15, 56/17, 56/18, 56/25, 56/26); and implement a system to counter domestic violence against women, and ensure that the perpetrators of such violence are prosecuted and appropriately punished; incorporate domestic violence into its criminal laws (Rec. 56/16).	Accepted
Ensure that the equal right of women and girls to education is carried out in practice, and take steps to guarantee equal pay for equal work (Rec. 56/27).	Accepted
THEMATIC AREA – Promotion and protection of human rights, education, and public awareness	
Recommendation	Accepted or Rejected
Strengthen educational and awareness raising programmes for local communities in order to promote awareness of human rights issues among society at large, and stimulate the participation of civil society organisations in the promotion and protection of human rights (Rec. 56/14).	Accepted
THEMATIC AREA – Treaty Ratifications, treaty reporting and overall work with human rights mechanisms	
Recommendation	Accepted or Rejected
Consider ratification of core international human rights treaties and optional protocols to which RMI is not already a party (ICCPR, ICCPR-OP 1 and ICCPR-OP 2, ICESCR, OP-ICESCR, ICERD, CAT, OP-CAT, CRPD, CED, OP-CEDAW, OP-CRC-AC, OP-CRC-SC, UN Convention against Corruption) (Rec. 56/1, 56/2, 56/3, 56/4, 56/5, 56/6, 56/7, 56/8).	Accepted
Facilitate the active involvement of civil society stakeholders, including human rights non-governmental organizations, in the follow-up to this review, especially to address violence against women and children and child abuse (Rec. 56/19).	Accepted
Extend an open and standing invitation to the special procedures of the Human Rights Council (Rec. 56/37, 56/38).	Accepted

Federated States of Micronesia

THEMATIC AREA – Justice and Law Reforms	
Recommendation	Accepted or Rejected
Ensure that human rights are afforded full legal protection (Rec. 61/21).	Accepted
Implement the outstanding legislative and administrative reforms required under the CRC, in particular all the necessary measures to prevent and address violence against children and child abuse (Rec. 61/31, 61/32, 61/33).	Accepted
Undertake a legal reform on the issues of the neglect, abuse and sexual exploitation of children, the lack of conformity of the birth registration system, the absence of legislation on child labour, and the non-existence of a clear definition of the minimum age for criminal responsibility (Rec. 61/34).	No clear response

Conduct a comprehensive review of existing legislation, and harmonize law and customary practices in all four states with international standards (Rec. 61/22).	Rejected
Address any customary practices that are inconsistent with its obligations under international law, and bring its national law relating to women and children into line with its obligations under international human rights law (Rec. 61/24).	Rejected
THEMATIC AREA – Thematic Human Rights Issues (Prevention of Torture, education, climate change, racism, disability)	
Recommendation	Accepted or Rejected
Pass a comprehensive anti-trafficking law applicable in the Federated States of Micronesia, and promptly ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the Convention against Transnational Organized Crime (Rec. 61/29) and guarantee the protection and rehabilitation of the victims of trafficking (Rec. 61/63).	Accepted
Adopt laws banning child labour and define the minimum age for criminal responsibility, in conformity with the provisions of the international norms related to human rights (Rec. 61/36, 61/37, 61/38).	Accepted
Adopt labour laws and social security norms in accordance with international protection standards, criminalize sexual abuse, and adequately regulate child labour (Rec. 61/35)	No clear response
Continue implementing strategies and plans for national socio-economic development (Rec. 61/44); and continue to apply programmes and measures to ensure the enjoyment of the right to education and the right to health (Rec. 61/67).	Accepted
Include sexual orientation and gender identity as prohibited grounds for discrimination in legislation and equality initiatives (Rec. 61/52) .	Accepted
Establish effective measures to prevent mistreatment in detention centres and prisons, for example, through human rights training programmes for members of the police (Rec. 61/57).	Accepted
Take all appropriate measures, including the revision of legislation, the initiation of a comprehensive study on child abuse, ill treatment and domestic violence, to prevent and combat ill treatment within, inter alia, the family and institutions, as well as the sexual abuse of children (Rec. 61/64) in accordance with recommendations from the Committee on the Rights of the Child (Rec. 61/65).	Accepted
Develop and implement awareness programmes about sexual and reproductive health targeting youth (Rec. 61/68).	Accepted
Seek further cooperation with the international community and relevant United Nations agencies to enhance its technical capacity building in mitigating the impact of climate change on its efforts to promote and protect human rights within its country (Rec. 61/73).	Accepted
Continue its efforts regarding access to health, environmental protection and the right to education, calling for technical and financial assistance to accompany the government's efforts in these fields (Rec. 61/70); continue to develop its economy in accordance with its national conditions, and continue to reduce poverty (Rec. 61/69).	Accepted
THEMATIC AREA – National and Regional Human Rights Institutions	
Recommendation	Accepted or Rejected
Establish a national human rights institution in accordance with the Paris Principles (Rec. 61/39, 61/40, 61/41).	Accepted

THEMATIC AREA – Gender Equality	
Recommendation	Accepted or Rejected
Eliminate all laws and practices that discriminate against women, implement the national plan of action to promote gender equality (Rec. 61/42) promote equal treatment of girls and boys, including through awareness programmes (Rec. 61/23, 61/43) and equal remuneration in the workplace (Rec. 61/51).	Accepted
Fully implement legislation related to the rights of women, including addressing violence against women, sexual abuse of women and children and marriage (Rec. 61/25, 61/26, 61/27, 61/28, 61/30, 61/42); to guarantee effective gender equality and to combat gender violence, while providing special follow-up to cases of gender violence and studying the reasons why there are so few complaints to the authorities (Rec. 61/54, 61/58, 61/51); rehabilitation of victims (Rec. 61/55, 61/59, 61/62); and work proactively to use both judicial and law enforcement tools to reduce such incidences (Rec. 61/60).	Accepted
Take measures to promote the participation of women in the decision making process (Rec. 61/50, 61/51) and empower women in its human rights protection efforts (Rec. 61/69).	Accepted
Ensure that there is no difference between the acceptable age of marriage for girls and boys in all its territories and that young girls are not subjected to early marriage (Rec. 61/56).	Accepted
Initiate a comprehensive study on abuse, ill treatment and domestic violence against women and girls, the results of which can be used as the basis for social programmes to prevent these serious problems (Rec. 61/61).	Accepted
Improve services for victims of family violence, including the provision of separate homes for children away from abusive family members, and shelters for women (Rec. 61/65)	Rejected
THEMATIC AREA – Promotion and protection of human rights, education, and public awareness	
Recommendation	Accepted or Rejected
Ensure that its national programmes in the field of education include human rights education and training (Rec. 61/45) and include women's rights in education curricula (Rec. 61/53).	Accepted
THEMATIC AREA – Treaty Ratifications, treaty reporting and overall work with human rights mechanisms	
Recommendation	Accepted or Rejected
Consider ratification of core international human rights treaties and optional protocols to which FSM is not already a party (ICCPR, ICERD, OP-CEDAW, ICESCR, CAT, OP-CAT, CPRD, ICRMW, CED, OP-CRC-AC, OP-CRC-SC, 1951 Convention relating to the Status of Refugees and its 1967 Protocol, Protocol to Prevent, Suppress and Punish, Trafficking in Persons, Especially Women and Children) (Rec. 61/1, 61/2, 61/3, 61/4, 61/5, 61/6, 61/7, 61/8, 61/9, 61/10, 61/11, 61/12, 61/13, 61/14).	Accepted
Consider seeking membership in the International Labour Organization with a view to ratifying the Organization's fundamental Conventions (Rec. 61/15).	Accepted
Continue working with state governments to remove the reservations to the CEDAW (Rec. 61/16, 61/17, 61/18, 61/19, 61/20).	No clear position
Be more regular in submitting reports to treaty bodies and call, if necessary, for technical assistance in this field (Rec. 61/46, 61/47).	Accepted

Consider extending a standing invitation to all special procedures of the Human Rights Council (Rec. 61/48, 61/49).	Accepted
Seek technical assistance from the relevant United Nations bodies and involve civil society stakeholders, including human rights non-governmental organizations, in the follow-up to the universal periodic review in addressing the concerns highlighted (Rec. 61/71, 61/72).	Accepted

Nauru

THEMATIC AREA – Justice and Law Reforms	
Recommendation	Accepted or Rejected
Continue its efforts with a view to approving the constitutional reform package (Rec. 79/28).	Accepted
Seek the assistance of the international community in its efforts to expand and strengthen its legal and judicial sectors (Rec. 79/73).	Accepted
THEMATIC AREA – Thematic Human Rights Issues (Prevention of Torture, education, climate change, racism, disability)	
Recommendation	Accepted or Rejected
Abolish the death penalty (Rec. 79/21, 79/57).	Accepted
Designate and empower one or more government officials to coordinate the government's efforts to protect children (Rec. 79/33).	Accepted
Improve the quality and access of education to all (Rec. 79/89, 79/91) including efficient educational policies (Rec. 79/90).	Accepted
Draft a new criminal code that would, inter alia, decriminalize sexual activity between consenting adults of the same sex (Rec. 79/38, 79/74, 79/75).	Accepted
Develop, within the United Nations and regional mechanisms, a mitigation and management plan for disasters, with a human rights approach, in accordance with what has been suggested by the UNHCR (Rec. 79/40).	Accepted
Establish stronger laws against perpetrators of child abuse including sexual exploitation, and increase penalties and sentencing in courts (Rec. 79/69, 79/70, 79/71, 79/72).	Accepted
Establish freedom of information laws, including by amending the Official Information Act of 1976, and increase access to the Internet (Rec. 79/77, 79/78); establish mechanisms to increase the population's access to government information (Rec. 79/76).	Accepted
Reduce the voting age from 20 years to 18 years (Rec. 79/79).	Noted
Continue to implement strategies and plans for the socio-economic development of the country, including in the environmental area (Rec. 79/83); and strengthen its efforts to protect the rights of all persons to enjoy the highest possible level of physical and mental health, and take concrete measures to strengthen free and effective access to health for children and adults with mental disabilities (Rec. 79/88, 79/89).	Accepted
In view of the increasing challenges posed by climate changes, develop a human rights-based climate change adaptation strategy and increase cooperation with the relevant UN bodies and other regional/international organisations in its efforts to mitigate the harms from environmental degradation and adapt to the effects of climate change (Rec. 79/84, 79/85, 79/86); and continue to remind major emitting states for their obligations to reduce greenhouse gas emissions (Rec. 79/87, 79/101).	Accepted

Adopt measures to assure to all persons with disabilities access to educational and vocational training programmes, in consultation with these persons and their representatives (Rec. 79/92).	Accepted
Promote recovery and conservation of traditional knowledge in order to restore ancestral heritage (Rec. 79/93).	Accepted
Engage members of the international donor community and seek technical assistance and capacity building to address the problem of food security, access to clean and fresh water, and the effects of environmental pollution (Rec. 79/99, 79/100); and continue its efforts to attain food sovereignty on the basis of food diversification (Rec. 79/82); strengthen programs to fight poverty (Rec. 79/81).	Accepted
THEMATIC AREA – National and Regional Human Rights Institutions	
Recommendation	Accepted or Rejected
Consider establishing an independent national human rights institution in accordance with the Paris Principles (Rec. 79/30, 79/31, 79/32).	Accepted
THEMATIC AREA – Gender Equality	
Recommendation	Accepted or Rejected
Enact and implement specific legislation on gender equality, violence against women and child abuse, with the possible assistance of the PIFS (Rec. 79/10, 79/55, 79/59, 79/60, 79/61, 79/62, 79/63, 79/64, 79/66, 79/67, 79/68); review existing legislation, (Criminal Code), policy, and practice to ensure protection for the rights of women (for example in the workplace) (Rec. 79/11, 79/29, 79/38, 79/59, 79/62, 79/65, 79/39).	Accepted
Ensure that the National Sustainable Development Strategy consider, in particular, the role of women in national development, including their participation in the political process, at all levels (Rec. 79/56, 79/58, 79/39, 79/80).	Accepted
THEMATIC AREA – Promotion and protection of human rights, education, and public awareness	
Recommendation	Accepted or Rejected
Continue its efforts on the promotion and protection of human rights and main freedoms (particularly for children, women, young people and people with disabilities) (Rec. 79/35, 79/36, 79/37, 79/54).	Accepted
Undertake education programmes on a human rights-based handling of asylum-seekers and refugees and build institutional capacity for the development of a national refugee status determination procedure (Rec. 79/94, 79/96) and promptly take effective measures to safeguard the rights of refugees and asylum-seekers, including not to let other countries violate the rights of refugees and asylum-seekers in the territory of Nauru (Rec. 79/95).	Accepted
THEMATIC AREA – Treaty Ratifications, treaty reporting and overall work with human rights mechanisms	
Recommendation	Accepted or Rejected
Consider ratification of core international human rights treaties and optional protocols (IC-CPR, ICCPR-OP 1 and ICCPR-OP 2, CEDAW, OP-CEDAW, OP-CRC-AC, OP-CRC-SC, CAT, OP-CAT, 1951 Convention relating to the Status of Refugees and its 1967 Protocol, UN Convention against Transnational Organised Crime, 1954 Convention relating to the Status of Stateless Persons, 1961 Convention of the Reduction of Statelessness) (Rec. 79/1, 79/2, 79/3, 79/4, 79/5, 79/6, 79/7, 79/8, 79/9, 79/10, 79/11, 79/12, 79/13, 79/14, 79/15, 79/16, 79/17, 79/18, 79/19, 79/20, 79/21, 79/22, 79/23, 79/24, 79/25, 79/26, 79/57, 79/62).	Accepted

Become party to the core human rights instruments (Rec. 79/1).	No clear response
With the assistance of OHCHR, move to speedily accede to all those human rights conventions to which it is currently a signatory (Rec. 79/27).	No clear response
Consider the ratification of ICESCR and its optional protocol (Rec. 79/4, 79/5, 79/6, 79/13, 79/14, 79/19, 79/23, 79/25)	Noted
Consider the ratification of CRPD and OP-CRPD (Rec. 79/6, 79/13, 79/17, 79/18)	Noted
Consider the ratification of the ICERD (Rec. 79/6, 79/13, 79/19, 79/23, 79/24, 79/25)	Noted
Consider the ratification of the ILO fundamental conventions (Rec. 79/6).	Noted
Consider the ratification of the ICCPED (Rec. 79/13, 79/14, 79/17).	Noted
Consider ratification of the Rome Statute of the International Criminal Court and the Convention on the Prevention and Punishment of the Crime of Genocide (Rec. 79/26).	Noted
Submit the initial report to the Committee on the Rights of the Child (Rec. 79/23, 79/50, Rec. 79/51); take steps towards meeting its obligations for timely submission of periodic reports (Rec. 79/49) develop a common core document which, in conjunction with a treaty-specific list of issues, will help to streamline treaty reporting (Rec. 79/52, 79/53); and seek technical assistance from the international community regarding international reporting obligations and the implementation of international commitments (Rec. 79/102).	Accepted
Consider opening, with international donor support, a small permanent mission in Geneva, using the facilities provided by the newly opened Commonwealth Small Island States office (Rec. 79/34).	Noted
Consider extending a standing invitation to special procedures of the Human Rights Council and respond positively to requests for visits and information (Rec. 79/42, 79/43, 79/44, 79/45, 79/46, 79/47, 79/48).	Accepted
Engage civil society in the follow-up of the UPR (Rec. 79/97); and seek to work in partnership with other Pacific Island States in order to join forces in addressing human rights issues (Rec. 79/98).	Accepted

Palau

THEMATIC AREA – Justice and Law Reforms	
Recommendation	Accepted or Rejected
Review the legislation on the minimum age for criminal responsibility (Rec. 62/30, Rec. 62/31); and equalize the legal minimum age of marriage for girls and boys (Rec. 62/41).	Accepted
Ensure human rights are afforded full legal protection in the Republic of Palau (Rec. 61/2).	Accepted

THEMATIC AREA – Thematic Human Rights Issues (Prevention of Torture, education, climate change, racism, disability)	
Recommendation	Accepted or Rejected
Increase its efforts aimed at the incorporation of the CRC provisions and principles into the domestic legal system (Rec. 61/1); implement the National Action Plan for Children (Rec. 61/16); intensify efforts to establish an Ombudsman for Children to deal with complaints of violations of the rights of the child, particularly those related to child exploitation and sexual violence (Rec. 61/14, 61/39); and establish policies, programmes and services to provide children with greater protection and care including exploitation through electronic images/videos etc. (Rec. 61/17, 61/23, 61/40, 61/41, 61/42, 62/34, 62/35).	Accepted
Combat human trafficking (focusing on children) (Rec. 61/38); improve the situation of migrant workers (Rec. 61/15, 61/36, 61/53, 61/54, 61/55, 61/56); and take measures to protect victims of trafficking by providing shelters and facilitate the process in order for victims to be witnesses against traffickers in court (Rec. 61/37).	Accepted
Promote and protect vulnerable persons and continue with its efforts to develop a national policy for the benefit of persons with disabilities (Rec. 61/18); and promote and protect the rights of persons with disabilities by, among others, involving persons with disabilities in all phases of ratification of the CRPD and the Palau National Policy on Disability, and ensuring access to education as well as an inclusive education system at all levels for children with disabilities (Rec. 61/22, 61/52).	Accepted
Prohibit and eliminate all forms of corporal punishment (Rec. 61/43); and conduct awareness campaigns to reduce the scope of this action (Rec. 61/44, 61/45).	Accepted
Establish mechanisms ensuring that street children are provided with clothing, housing, health and educational services (Rec. 61/46).	Accepted
Continue to implement its socio-economic development strategies and plans for the country (Rec. 61/50); continue to implement programs and measures to move forward in the achievement of the MDGs between now and 2015 (Rec. 61/51); and pursue its efforts aiming to ensure food security and formulate its specific international cooperation and technical assistance requests to this end (Rec. 61/49).	Accepted
Draw up a plan to manage and mitigate natural disasters together with the regional mechanisms and the United Nations, taking into account the possible large-scale internal and international displacement of population (Rec. 61/57).	Accepted
Strengthen its technical cooperation with relevant agencies and stakeholders in order to prevent the adverse impact of climate change on its promotion and protection of human rights (Rec. 61/58, 61/59).	Accepted
Revise the status of children born of foreign parents in accordance with relevant international standards (Rec. 62/29).	Noted
Enact legislation to prevent child labour and protect children from commercial sexual exploitation (Rec. 62/36); and seek the assistance of the ILO to combat child labour (Rec. 62/37).	Accepted
Confirm its commitment to non-discrimination by decriminalizing sexual relations between consenting adults of the same sex and by repealing the discriminatory provisions against LGBT persons (Rec. 62/38, 62/39, 62/40).	Accepted

Establish a more formal system to provide protection for refugees and asylum-seekers (Rec. 62/42).	Accepted
THEMATIC AREA – National and Regional Human Rights Institutions	
Recommendation	Accepted or Rejected
Establish a national human rights institution in accordance with the Paris Principles (Rec. 61/5, 61/6, 61/7, 61/8, 61/9, 61/10, 61/11, 61/12, 61/13).	Accepted
THEMATIC AREA – Gender Equality	
Recommendation	Accepted or Rejected
Revise existing laws identified in its national report as being discriminatory against women (Rec. 61/21); and immediately criminalize rape within marriage and give men and women equal rights of inheritance (Rec. 61/3, 61/4, 61/25).	Accepted
Consider adopting national legislative measures to ensure gender equality, as stipulated in its Constitution, and to combat and eliminate violence against women (Rec. 61/24, 61/26, 61/28, 61/29, 61/30, 61/31, 61/33, 61/34, 61/35, 61/42) including ensuring that complaints are properly investigated and that perpetrators are prosecuted and convicted (Rec. 61/32); establish training mechanisms on violence against women for police officers, lawyers and judges (Rec. 61/26); consider establishing shelters for victims of domestic violence and reinforce efforts to prevent and combat child abuse, including measures to assist in recovery and reintegration (Rec. 61/27).	Accepted
Take steps to increase the number of women in decision-making positions (Rec. 61/47, 61/48).	Accepted
THEMATIC AREA – Promotion and protection of human rights, education, and public awareness	
Recommendation	Accepted or Rejected
Accelerate efforts aimed at raising awareness and education among the general population on human rights, particularly on the rights of women, children and disabled persons (Rec. 61/19).	Accepted
THEMATIC AREA – Treaty Ratifications, treaty reporting and overall work with human rights mechanisms	
Recommendation	Accepted or Rejected
Extend a standing invitation to special procedures mandate holders as a way of informing and supporting human rights reforms (Rec. 60/1, 60/2, 60/3).	Accepted
Engage civil society in the UPR follow-up process (Rec. 60/5).	Accepted
Consider identifying a priority list of issues and areas of requirements needed in the field of technical assistance and capacity-building and to approach the relevant partners at the multilateral or bilateral levels (Rec. 60/4).	Accepted
Meet its reporting obligations under the CRC (Rec. 61/20).	Accepted
Consider ratification of OP-CRC-AC, OP-CRC-SC, CRPD, OP-CRPD (Rec. 62/18, 62/20, 62/21, 62/22, 62/24).	Accepted

Sign and ratify, as soon as possible, all fundamental international human rights instruments and their protocols (Rec. 62/1, 62/2, 62/3, 62/4, 62/5)	Noted
Accede to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol; to the 1954 Convention relating to the Status of Stateless Persons and to the 1961 Convention on the Reduction of Statelessness (Rec. 62/25, 62/26).	Noted
Consider ratification of ICESCR (Rec. 62/6, 62/7, 62/8, 62/9, 62/10, 62/23, 62/24)	Noted
Consider ratification of ICCPR and its Optional Protocols (Rec. 62/7, 62/8, 62/9, 62/10, 62/23, 62/24)	Noted
Consider ratification of CEDAW and its Optional Protocol (Rec. 62/8, 62/9, 62/10, 62/12, 62/13, 62/14, 62/15, 62/16, 62/17, 62/18, 62/19, 62/20, 62/23, 62/24)	Noted
Consider ratification of ICERD (Rec. 62/23, 62/24, 62/10).	Noted
Consider ratification of CAT and OP-CAT (Rec. 62/23, 62/24, 62/10, 62/11).	Noted
Consider ratification of ICCPED (Rec. 62/23, 62/24).	Noted
Consider ratification of ICRMW (Rec. 62/20).	Noted
Ratify the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness (Rec. 62/27)	Noted
Consider ratification of the Convention against Transnational Organized Crime and its Palermo Protocol (Rec. 62/28, 62/33).	Noted
Circulate and implement the recently adopted rules on the treatment of women prisoners and non-custodial measures for women offenders, otherwise known as the Bangkok Rules, and seek necessary support from such relevant agencies as UNODC and OHCHR (Rec. 62/32).	Noted

Solomon Islands

THEMATIC AREA – Justice and Law Reforms	
Recommendation	Accepted or Rejected
Ensure that international human rights instruments' obligations are incorporated into domestic laws (Rec. 81/18); develop explicit legislation implementing the provisions of the CEDAW (Rec. 80/24) and take the necessary steps to codify in national laws obligations subscribed to in the Convention on the Rights of the Child (Rec. 80/13, 80/14).	Accepted
Enact legislation providing for public access to Government Information (Rec. 81/20); pass a law to criminalize all forms of human trafficking (Rec. 81/19); adopt legislation to legally prohibit corporal punishment of children (Rec. 80/15, 80/31).	Accepted
Give strong priority, as part of the process of judicial reform, to the work of the Law Reform Commission on strengthening the traditional local courts in relation to human rights and constitutional guarantees (Rec. 81/46); and provide greater resources to its court system to reduce pretrial detention (Rec. 81/44).	Accepted

THEMATIC AREA – Thematic Human Rights Issues (Prevention of Torture, education, climate change, racism, disability)	
Recommendation	Accepted or Rejected
Review the legislation on the minimum ages for criminal responsibility and for employment (Rec. 80/16, 80/17, 80/19, 80/20, 80/21, 80/22, 81/22) and ensure that all children up to the age of 18 years can benefit from the protection of the juvenile justice system (Rec. 80/18, 80/23, 80/33); and amend domestic legislation so that the minimum age for marriage is set at 18 years (Rec. 80/2).	Accepted
Adopt a national plan of action against sexual exploitation of children and against child labour (Rec. 80/33, 80/34, 80/36) enhance protection of children from abuse, child labour including prostitution and child pornography (Rec. 80/32, 81/40, 81/41, 81/45); conduct a comprehensive study on child abuse, including sexual abuse, and child labour, with a view to identifying enhanced protection measures and ensuring the provision of adequate resources for their implementation (Rec. 81/39).	Accepted
Guarantee the registration of all girls and boys at birth in Solomon Islands; as well as for those persons who have not been registered at birth (Rec. 80/37, 81/48).	Accepted
Repeal all provisions that criminalize sexual activity between consenting adults in conformity with international obligations (Rec. 80/38).	Accepted
Encourage further strengthening of the electoral system, particularly through improving the integrity of voter registration (Rec. 80/39).	Accepted
Continue to work, with development partners, towards compulsory basic education for all children, building on the progress and reforms to date (Rec. 80/47, 80/48); including implementing measures to ensure girl's and women's access to all levels of education (Rec. 80/49, 81/56, 81/57, 81/58).	Accepted
Enact law or national policy to ensure the protection and care of persons with disabilities (Rec. 81/14, 81/15); develop public awareness campaigns about the rights and participation of persons with disabilities (Rec. 81/13) and provide equal access to education, health, housing and justice services, and engaging persons with disabilities in the policymaking process (Rec. 81/30, 81/31, 81/32, 81/58).	Accepted
Adopt measures to mitigate climate change risks (Rec. 81/34); continue its admirable international efforts to tackle global warming, including by reminding developed countries and major emitting States of their obligation to help promote and protect human rights in Solomon Islands by reducing greenhouse gas emissions to safe levels (Rec. 81/36).	Accepted
Take all necessary measures so that the Truth and Reconciliation Commission can work efficiently, in particular by ensuring that it has the full cooperation of the authorities at all levels, and the necessary financial resources to carry out its mandate (Rec. 81/42, 81/43).	Accepted
Take the necessary measures to ensure a supply of water of good quality to all informal settlements including the provision of water tanks (Rec. 81/54).	Accepted
Increase enforcement of its occupational and safety laws (Rec. 81/55).	Accepted

Decriminalize sexual relations between consenting adults of the same sex and repeal all discriminatory provisions relative to lesbian, gay, bisexual and transgender people (Rec. 81/49, 81/50, 81/51).	Rejected
THEMATIC AREA – National and Regional Human Rights Institutions	
Recommendation	Accepted or Rejected
Establish a national human rights institution in accordance with the Paris Principles (Rec. 79/1, 79/2, 79/3, 79/4, 79/5, 79/6, 79/7).	Accepted
THEMATIC AREA – Gender Equality	
Recommendation	Accepted or Rejected
Strengthen its efforts to modify or repeal existing laws and regulations that discriminate against women and girls (including equal rights in relation to property, inheritance and custody of children) (Rec. 80/1, 80/25, 80/28, 81/21, 81/24) and take the necessary steps to change traditional customs and patriarchal practices that violate the human rights of girls and women (Rec. 80/26).	Accepted
Pass legislation to make spousal rape a crime, make sexual harassment illegal (Rec. 80/4), ensure that laws are in place to specifically address domestic violence (Rec. 80/3, 80/6, 80/7, 80/8, 80/9, 80/10, 80/12, 80/27, 80/28, 80/29) including raising public awareness (Rec. 80/4, 80/35) and providing enforcement officers with further training and support to ensure that such crimes are properly investigated and enforced (Rec. 80/11, 80/30).	Accepted
Create national awareness of political participation and representation by women, at all decision making levels, including the Parliament (Rec. 80/40, 80/41, 80/42, 80/43, 81/29, 81/52).	Accepted
Implement fully its Gender Equity and Women’s Development Policy and the National Policy on Eliminating Violence against Women, and convene a first meeting of the oversight mechanism – the National Steering Committee – at the earliest opportunity (Rec. 81/25, 81/26, 81/27, 81/28, 81/29).	Accepted
THEMATIC AREA – Promotion and protection of human rights, education, and public awareness	
Recommendation	Accepted or Rejected
Implement public awareness and education programmes on sexuality aimed at adolescents that includes information on contraceptive health, family planning, sexual and reproductive health, sexually transmitted diseases and HIV/AIDs (Rec. 80/44).	Accepted

Seek, in cooperation with relevant international organizations and stakeholders, to include human rights education in school curricula, as appropriate (Rec. 80/45, Rec. 80/46, Rec. 81/56).	Accepted
Seek further technical assistance from OHCHR and other relevant agencies in order to promote human rights education and capacity-building, especially for public sector employees as well as for its preparation for reporting under international instruments (Rec. 81/33).	Accepted
THEMATIC AREA – Treaty Ratifications, treaty reporting and overall work with human rights mechanisms	
Recommendation	Accepted or Rejected
Consider ratification of core international human rights treaties and optional protocols to which the Solomon Islands is not already a party (ICCPR, ICCPR-OP 1 and ICCPR-OP 2, CAT, OP-CAT, ICRMW, CRPD, OP-CRPD, CED, OP-ICESCR, OP-CRC-AC, OP-CRC-SC, Convention relating to the Status of Stateless Persons, Convention on the Reduction of Statelessness, Convention on the Prevention and Punishment of the Crime of Genocide, the Rome Statute to the ICC, Palermo Protocol, and ILO Convention No. 182 (Rec. 81/1, 81/2, 81/3, 81/4, 81/5, 81/6, 81/7, 81/8, 81/9, 81/10, 81/11, 81/12, 81/13, 81/14, 81/15, 81/16, 81/17).	Accepted
Extend a standing invitation to special-procedure mandate holders as a way of informing and supporting human rights reforms (Rec. 79/8, 81/38); and invite the Special Rapporteur on violence against women, its causes and consequences, to the country (Rec. 80/24).	Accepted
Work with OHCHR to prepare a common core document as a way to streamline and reduce the burden of treaty-reporting (Rec. 81/35).	Accepted
Consider implementing the recently adopted rules on the treatment of women prisoners and non-custodial measures for women offenders, otherwise known as the Bangkok Rules, and seek necessary support from such relevant agencies as UNODC and OHCHR (Rec. 81/47).	Accepted

Samoa

THEMATIC AREA – Justice and Law Reforms	
Recommendation	Accepted or Rejected
Enact the Family Safety Bill without delay (Rec. 73/13, 74/2, 74/3).	Accepted
Continue harmonising its national legislation in line with commitments assumed at the international level (Rec. 74/5, 75/27).	Accepted
Introduce amendments to its domestic legislation and administrative regulations aimed at eradicating all forms of discrimination against women, children, persons with disabilities and, in general, all groups in vulnerable situations (Rec. 75/31) as well as persons of foreign origin, members of ethnic or linguistic minorities, refugees, asylum-seekers and migrant workers (Rec. 75/43).	Rejected
Introduce amendments to its domestic legislation and administrative regulations aimed at abolishing all forms of torture and other cruel, inhuman or degrading treatment or punishment (Rec. 75/32).	Rejected
Welcome an amendment to its Juvenile Justice Law and set the minimum age of criminal responsibility at 16 years of age (Rec. 76/2, 76/3).	Rejected

THEMATIC AREA – Thematic Human Rights Issues (Prevention of Torture, education, climate change, racism, disability)	
Recommendation	Accepted or Rejected
Enact a comprehensive anti-trafficking law and make proactive efforts to identify and assist trafficking victims (Rec. 73/33).	Accepted
Continue implementing strategies and plans for national socio-economic development (Rec. 73/35); continue implementing programmes and measures aimed at ensuring universal health care and quality education services for all its population (Rec. 73/36).	Accepted
Significantly promote sexual education, in particular oriented towards adolescent girls and boys, paying special attention to the prevention of early pregnancy and to the control of sexually transmitted diseases and HIV and AIDS (Rec. 73/37).	Accepted
Redouble efforts to promote universal education and ensure compliance with legislation on compulsory education (Rec. 73/38, Rec. 73/39).	Accepted
Continue its leading international efforts to tackle global warming, including by reminding developed countries and major emitting states of their obligation to help promote and protect human rights in Samoa by reducing greenhouse gas emissions to safe levels (Rec. 73/41).	Accepted
Consider elaborating norms relating to persons with disabilities (Rec. 74/4); give high priority to the work of the National Disabilities Taskforce (Rec. 74/6) the implementation of the National Policy for Persons with Disabilities (Rec. 74/9); develop specific legislation on the rights of persons with disabilities (Rec. 75/15); implement inclusion measures that ensure access for people with disabilities to better employment opportunities (Rec. 74/31); and support the work of organizations devoted to promoting accessibility and the rights of persons with disabilities (Rec. 73/34).	Accepted
Improve inmate conditions in detention facilities (Rec. 74/12, 74/13); invite independent human rights observers to monitor conditions within the prisons (Rec. 75/33); enhance its investigation of complaints of abuse by police (Rec. 74/26) and extend police training to address concerns about abuse by police (Rec. 75/35).	Accepted
Implement fully the recommendations of the Committee on the Rights of the Child, including by taking measures to address the issue of child labour, prohibiting corporal punishment, sexual exploitation of children and raising the minimum age of criminal responsibility to an internationally acceptable level (Rec. 74/19, 74/20, 74/21, 75/36); and address the elimination of child labour in the ongoing 1972 Labour and Employment Act review (Rec. 74/23).	Accepted
Conduct awareness campaigns to sensitise the population to end the corporal punishment of children (Rec. 74/21, 74/22).	Accepted
Continue to guarantee freedom of religion and to ensure the preservation and promotion of the cultural characteristics and distinctness of “fa’asomoa” (Rec. 74/27); and make public, upon its completion, the report of the Commission of Inquiry set up to investigate alleged violations of religious freedom (Rec. 75/42).	Accepted
Continue its reconsideration of laws that restrict the human rights of individuals based on sexual orientation or gender identity, and repeal all such laws (Rec. 75/41).	Accepted
Repeal all provisions which may be applied to criminalize sexual activity between consenting adults and adopt appropriate legislative measures to include sexual orientation and gender identity in equality and non-discrimination laws (Rec. 75/38, 75/39, 75/40).	Rejected

THEMATIC AREA – National and Regional Human Rights Institutions	
Recommendation	Accepted or Rejected
Establish a national human rights institution in accordance with the Paris Principles (Rec. 73/15, 73/16, 73/17, 73/18, 73/19, 73/20, 73/21, 73/22, 73/23, 73/24, 75/22, 75/23, 75/24, 75/25, 75/26).	Accepted
THEMATIC AREA – Gender Equality	
Recommendation	Accepted or Rejected
Implement fully the recommendations of the Committee on the Elimination of Discrimination against Women, including by increasing efforts to improve the provision of sexual and reproductive health services so as to reduce maternal morbidity and prevent teenage pregnancies (Rec. 73/29)	Accepted
Immediately criminalise rape within marriage (Rec. 73/32); and equalise the legal minimum age of marriage for girls and boys (Rec. 75/37).	Accepted
Further enhance national policies to promote the rights of women (Rec. 74/10) including endorsement and promotion of the Nation Policy for Women (Rec. 74/2, 74/8); and improve the situation of women in Samoan society and political life (Rec. 74/11, 74/28, 73/14) including measures to reduce gender imbalance in the legislative and executive branches of government (Rec. 75/28); and conduct awareness-raising activities to change socio-cultural practices and stereotypes that impinge on gender equality (Rec. 73/30).	Accepted
Prioritise legislation on women's rights and domestic violence, and implement domestic policies aimed at eliminating violence against women (Rec. 74/15, 74/16, 74/24, 73/31); develop efficient and transparent mechanisms to prevent violence, particularly against women, girls and boys, and ensure that these mechanisms have the necessary capacity and resources to tackle this issue (Rec. 74/14, 74/18).	Accepted
Introduce necessary measures in the field of anti-discrimination and equal remuneration for men and women for work of equal value (Rec. 74/30); and take appropriate measures to make the promotion of gender equality an explicit component of its national development plan and policies and to include in its Constitution or other appropriate domestic legislation a definition of discrimination against women (Rec. 75/29).	Accepted
Amend its national law to guarantee equality between men and women and ensure that customs and traditional practices cannot be used in law to discriminate against women (Rec. 75/30).	Rejected
Implement fully the recommendations of the Committee on the Elimination of Discrimination against Women, including by repealing discriminatory provisions in the family law (Rec. 76/4).	Rejected
Give men and women equal rights of inheritance (Rec. 76/5).	Rejected
THEMATIC AREA – Promotion and protection of human rights, education, and public awareness	
Recommendation	Accepted or Rejected
Seek to enhance its programmes on human rights education and training in schools and for public officials, in cooperation with the international community (Rec. 73/40, 74/12); and strengthen the institutional infrastructure for ensuring, promoting and protecting human rights (Rec. 74/7).	Accepted
Improve equal access to justice, including legal assistance and information and education about legal and human rights, to those who cannot afford private representation (Rec. 74/25).	Accepted

THEMATIC AREA – Treaty Ratifications, treaty reporting and overall work with human rights mechanisms	
Recommendation	Accepted or Rejected
Consider ratification of core international human rights treaties and optional protocols to which Samoa is not already a party (ICCPR-OP 2, ICERD, OP-CEDAW, ICESCR, OP-ICESCR, CAT, OP-CAT, CPRD, OP-CRPD, ICRMW, CED, OP-CRC-AC OP-CRC-SC, 1954 Convention relating the Status of Stateless Persons, 1961 Convention on the Reduction of Statelessness) (Rec. 73/1, 73/2, 73/3, 73/4, 73/5, 73/6, 73/7, 73/8, 73/9, 73/10, 73/11, 73/12, 75/1, 75/2, 75/3, 75/4, 75/5, 75/6, 75/7, 75/8, 75/9, 75/10, 75/11, 75/12, 75/13, 75/14, 75/15, 75/16, 75/17, 75/18, 75/19, 75/20).	Accepted
Lift the reservation made to article 28, paragraph 1 (a), of the Convention on the Rights of the Child (Rec. 75/8).	Rejected
Consider the possibility of incorporating progressively into its domestic legislation the provisions set out in the international instruments mentioned in paragraphs 73.4, 73.5, 73.6, 73.8, 75.7, 75.11 and 75.18, once it has proceeded to their ratification (Rec. 75/21).	Rejected
Continue to seek technical cooperation and assistance from the international community, such as OHCHR and UNFPA, in relevant areas, particularly capacity-building for preparing its national reports under human rights conventions to which Samoa is a party (Rec. 73/26, 73/27).	Accepted
Consider extending a standing invitation to the United Nations special procedures (Rec. 73/28).	Accepted
Involve civil society organizations in the follow-up to this review (Rec. 73/42); and use the UPR process to better involve civil society for further promotion and protection of human rights in Samoa (Rec. 74/29).	Accepted
Circulate and implement the recently adopted rules on the treatment of women prisoners and non-custodial measures for women offenders, otherwise known as the Bangkok Rules, and seek necessary support from such relevant agencies as UNODC and OHCHR (Rec. 75/34).	Accepted
Consider the possibility of acceding to and/or ratifying International Labour Organization Convention No. 169 (1989) concerning Indigenous and Tribal Peoples in Independent Countries (Rec. 76/1).	Rejected

Papua New Guinea

THEMATIC AREA – Justice and Law Reforms	
Recommendation	Accepted or Rejected
Continue efforts to harmonise national legislation with international human rights instruments (Rec. 78/11) particularly CEDAW (Rec. 78/3, 78/13, 78/14, 78/15, 79/16); and pursue efforts with regional and international communities in seeking financial and technical assistance to domesticate ratified international treaties (Rec. 78/12).	Accepted
Amend its legislation to include the principle of equality between men and women; Parliament should adopt the equality and participation bill in order to enhance gender equality in the political sphere (Rec. 79/20).	Accepted

Withdraw support from the proposed amendment that would curtail the power of the Ombudsman Commission, especially its ability to investigate independently human rights violations (Rec. 79/25).	Rejected
Abolish the death penalty in its legislation, while taking note of the absence of executions in the country since 1954 (Rec. 79/31, 79/33, 80/1, 80/2), and adopt laws favouring the protection of women, and combat domestic violence (Rec. 79/32).	Rejected
Implement effective criminal justice mechanisms to combat impunity (Rec. 79/38) including the investigation and prosecution of racial hatred and related violence through criminal legal proceedings and other measures (Rec. 79/39).	Rejected
Amend national legislation to include “sexual orientation” and “gender” as prohibited grounds for discrimination (Rec. 79/54)	Rejected
THEMATIC AREA – Thematic Human Rights Issues (Prevention of Torture, education, climate change, racism, disability)	
Recommendation	Accepted or Rejected
Incorporate a disability perspective into its Vision 2050 and other development plans and programs (Rec. 78/9); take necessary measures to implement the National Disability Policy (Rec. 78/37); and promote the creation of a database regarding persons with disabilities, with the objective of guiding relevant policies to make their rights effective (Rec. 78/38).	Accepted
Take effective measures to prevent alleged abuse and violence by police officers, encouraging the government to respond appropriately to the Special Rapporteur on the question of torture’s concerns and recommendations on this matter (Rec. 78/50); and take concrete and practical measures to protect human rights defenders, who, according to a UN joint report, have been threatened, attacked and in some cases murdered (Rec. 79/55).	Accepted
Consider prohibiting by law corporal punishment within the family and other institutions (Rec. 78/53, 79/27, 79/37).	Accepted
Modify its legislation to ensure that the provisions prohibit and penalise the sale and trafficking of girls and boys under the age of 18 for sexual and labour exploitation (Rec. 78/54); and increase efforts to prosecute offenders of human trafficking, identify and protect trafficking victims, and make efforts to prevent trafficking crimes (Rec. 78/55).	Accepted
Look to replicate successful programmes that aim to keep adolescents out of the prison system wherever possible (Rec. 78/60).	Accepted
Enhance the transparency of its public decision-making and the use of public resources for public purposes (Rec. 78/61).	Accepted
Ensure that all children are registered at birth and make every effort to register all persons not previously registered (Rec. 78/62, 78/63, 78/64).	Accepted
Continue its committed efforts in economic and social development and improving people’s living standard so as to protect effectively the rights of its people (Rec. 78/65, 78/66, 79/27); continue implementing programmes and measures aimed at ensuring universal and quality health and education services for all its population (Rec. 78/67); and prioritise maternal health and basic education (Rec. 78.68, 78/69).	Accepted
With international assistance, intensify efforts against the spread of HIV and AIDS in the country, with increased attention to prevention and care for affected children (Rec. 78/70, 79/27).	Accepted

Continue its leading international efforts to tackle global warming, including by reminding developed countries and other major emitting states of their obligation to help promote and protect human rights by reducing greenhouse gas emissions to safe levels (Rec. 78/71).	Accepted
Take appropriate measures, in accordance with its international obligations, aimed at ensuring universal education, including free and compulsory primary education (Rec. 78/73, 79/59, 79/61, 79/62, 79/63, 79/64, 79/65, 79/66); and continue taking measures that favour the increase of enrolment rates (Rec. 78/72).	Accepted
Ensure protection against child labour and child prostitution (Rec. 79/37).	Accepted
Undertake effective measures to ensure the accessibility of legal and judicial services to persons in rural and remote areas (Rec. 79/49).	Accepted
Provide adequate judicial review and compensation for cases of government projects that have negative environmental impact on the land and resources of traditional landowners to ensure that their rights to property and right to environment are duly respected. Engagement with local communities in the decision-making process of any government project should also be promoted (Rec. 79/51, 79/58, 79/67).	Accepted
Step up efforts to improve and conserve the environment, including by strengthening the relevant laws and providing the public with the necessary information, education and awareness regarding the impacts of climate change and environmental pollution and degradation (Rec. 79/57).	Accepted
Increase involvement in matters of State by women and ethnic minorities (Rec. 79/30)	Rejected
Invest adequate financial and manpower resources to improve its prison conditions, to the level required by its human rights obligations (Rec. 79/35, 79/36)	Rejected
Investigate all cases of torture and bring perpetrators to justice (Rec. 79/42), and ensure that all complaints of violence, including sexual violence against detainees perpetrated or facilitated by police, are fully investigated and that suspected perpetrators are brought to justice, in line with concerns raised by the Special Rapporteur on the question of torture (Rec. 79/43).	Rejected
Decriminalize sexual relations between consenting adults of the same sex (Rec. 79/52, 79/53).	Rejected
Ensure that education is accessible to all children, including by providing the educational system with necessary resources (Rec. 79/60).	Rejected
Stop the increasing deforestation and indiscriminate exploitation of minerals since, on one hand, this limits the right of indigenous peoples to live in their traditional agricultural lands and, on the other hand, it contributes enormously to the ecosystem's imbalance and accelerates climate change with the negative consequences it brings (Rec. 79/68).	Rejected
Review the 2010 amendment to the Environment Act in order to ensure consistency with the objectives of the United Nations Declaration on the Rights of Indigenous Peoples (Rec. 79/69).	Rejected
THEMATIC AREA – National and Regional Human Rights Institutions	
Recommendation	Accepted or Rejected
Establish a national human rights institution in accordance with the Paris Principles (Rec. 78/23, 78/24, 78/25, 78/26, 78/27, 78/28, 78/29, 78/30, 78/31, 78/32, 78/33, 78/34).	Accepted

THEMATIC AREA – Gender Equality	
Recommendation	Accepted or Rejected
Develop further and implement policies and legislation aimed at gender equality and the empowerment of women, including combating all forms of gender-related violence (Rec. 78/16, 78/17, 78/18, 78/19, 78/20, 78/48, 79/22, 79/23, 79/24, 79/27, 78/47); utilising a comprehensive approach through the law and justice, civil society and health programs (Rec. 78/51); and addressing problems in impunity by strengthening law enforcement and the judicial system (Rec. 78/52, 79/48).	Accepted
Accelerate its review of the law on sorcery and sorcery-related killings and strengthen the enforcement of relevant legislation (Rec. 78/21, 78/22, 79/27, 79/45, 79/46).	Accepted
Undertake a national awareness campaign about the lasting negative effects of gender-based violence (Rec. 78/35).	Accepted
Support efforts to create safe places for women who have been victims of gender-based violence (Rec. 78/36).	Accepted
Take measures to ensure greater representation in Parliament for women (Rec. 78/49).	Accepted
Put in place legislation ensuring the equality of men and women and prohibiting discrimination against women (Rec. 79/17).	Rejected
Eliminate any legislation that has discriminatory effects against women in family and public life, in line with CEDAW, by, inter alia, including “gender” as a prohibited ground of discrimination in its Constitution (Rec. 79/18).	Rejected
Review its national legislation so as to repeal all laws giving rise to discrimination against women and girls, with the aim of bringing the domestic system into line with the commitments made at the international level (Rec. 79/19).	Rejected
Develop a legislative reform package to eliminate gender-based violence (Rec. 79/21).	Rejected
Review its laws relating to abortion and, more specifically, remove punitive provisions imposed on women who undergo abortion and provide them with access to quality services for the management of complications arising from unsafe abortion (Rec. 79/56).	Rejected
THEMATIC AREA – Promotion and protection of human rights, education, and public awareness	
Recommendation	Accepted or Rejected
Ensure comprehensive human rights training for its law enforcement personnel with a view to prevent any excessive use of force and to investigate, prosecute and punish the perpetrators of such human rights violations, in accordance with international standards (Rec. 78/56, 78/57, 78/58, 78/59, 79/26, 79/40, 79/41).	Accepted
Pursue efforts with regional and international communities in seeking financial and technical assistance to advance human rights in Papua New Guinea (Rec. 78/74).	Accepted
Implement programmes to increase the human rights awareness of village and community leaders, and develop measures to ensure that decisions made by village courts are in line with international standards, particularly the principle of non-discrimination, and, at the same time, take measures to promote among its citizens greater awareness of their rights and access to the formal judicial system (Rec. 79/50).	Accepted

Provide comprehensive human rights training for law enforcement officers, including on issues related to forced eviction and violence against detainees and to racial discrimination and xenophobia (Rec. 79/44).	Rejected
THEMATIC AREA – Treaty Ratifications, treaty reporting and overall work with human rights mechanisms	
Recommendations	Accepted or Rejected
Consider ratification of core international human rights treaties and optional protocols (OP-CEDAW, CAT, OP-CAT, CED, CRPD, OP-CRC-AC, OP-CRC-SC, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, 1954 Convention relating to the Status of Stateless Persons, 1961 Convention on the Reduction of Statelessness) (Rec. 78/1, 78/2, 78/3, 78/4, 78/5, 78/6, 78/7, 78/8, 78/9, 79/1, 79/3, 79/4, 79/5, 79/6, 79/7, 79/10, 79/11, 79/12, 79/13, 79/14).	Accepted
Ratify as soon as possible important international human rights instruments to which it is not yet a party, inter alia, CAT, CRPD and CED, and issue a standing invitation to special procedures (Rec. 79/2).	Rejected
Ratify the Optional Protocol to the ICCPR on the abolishment of the death penalty (Rec. 79/34)	Rejected
Ratify CAT and the Optional Protocol thereto and bring the definition of torture in line with the international standards in order to criminalize such treatment (Rec. 79/8, 79/9).	Rejected
Consider ratifying International Labour Organization Convention No. 169 (1989) concerning Indigenous and Tribal Peoples in Independent Countries and take operational steps to implement the United Nations Declaration on the Rights of Indigenous Peoples (Rec. 79/15).	Rejected
Withdraw the reservations issued to seven articles to the Convention on the Status of Refugees (Rec. 78/10).	Accepted
Improve its cooperation with the United Nations treaty bodies by reporting on the implementation of its obligations under the Conventions it has ratified; namely, the ICCPR, the ICERD, CEDAW and the CRC (Rec. 78/39); and request technical cooperation and assistance for the preparation and submission of reports to the UN treaty bodies (Rec. 78/40, 78/41).	Accepted
Extend a standing invitation to special procedures mandate holders as a way of informing and supporting human rights reforms (Rec. 78/42, 78/43) including extending an invitation to the Special Rapporteur on violence against women (Rec. 78/44, 78/45, 78/46).	Accepted
Engage civil society in the UPR follow-up process (Rec. 78/75).	Accepted
Implement the recommendations of the Special Rapporteur on the question of torture in order to address the violations to fundamental rights highlighted by him during his visit, notably, the generalized ill-treatment of detainees, the total absence of rights of incarcerated persons, the degrading conditions of detention and the absence of a control mechanism, leading to excessive periods of preventative detention (Rec. 79/29).	Accepted
Circulate and implement the recently adopted rules on the treatment of women prisoners and non-custodial measures for women offenders, otherwise known as the Bangkok Rules, and seek necessary support from such relevant agencies as UNODC and OHCHR (Rec. 79/47).	Accepted
Strengthen its cooperation with treaty bodies and give the greatest possible attention to the recommendations of the Committee on the Rights of the Child and the Committee on the Elimination of Discrimination against Women and the various United Nations joint reports (Rec. 79/28).	Rejected

ANNEX 2

Table of Treaty Ratification and Reporting

Annex 2 – Table of Treaty Ratification and Reporting

This table shows the status of ratification of major international human rights treaties by PICs. The green indicates that the treaty has been ratified and the date shown is the date the treaty entered into force. The table also shows the status of reports for each treaty that has been ratified. If the box is green then the state has submitted the report (however it may not have been examined by the relevant treaty body as yet), and the date shown is the date of submission. If the box is shaded, this indicates that the report is overdue and the date shown was the date it was due. If the box is clear and contains a date, this is the date the report was submitted. Following a clear box containing a date all clear boxes indicate that treaty reporting is up to date and that the next report due is after October 2012. The table is current as at the date of publication.

		ICESCR	ICCPR	CERD	CEDAW	CAT	CRC	CRPD
Tuvalu	Entered into Force				06.11.99		22.10.95	
	Initial Report				02.07.08		21.10.97	
	2nd				02.07.08		21.10.02	
	3rd				06.11.12		21.10.07	
	4th				06.11.12		21.10.12	
		ICESCR	ICCPR	CERD	CEDAW	CAT	CRC	CRPD
Fiji	Entered into Force			11.02.73	28.09.95		13.09.93	
	Initial Report			25.10.73	29.02.00		12.06.96	
	2nd + 3rd			13.07.78	14.01.09		08.08.11	
	4th			08.06.81	14.01.09		08.08.11	
	5th			25.10.82				
	6th - 15th			07.08.02				
	16th - 17th			20.06.06				
	18th - 20th							
		ICESCR	ICCPR	CERD	CEDAW	CAT	CRC	CRPD
Kiribati	Entered into Force				17.04.04		11.01.96	
	Initial Report				16.04.05		25.08.05	
	2nd				16.04.09		09.07.11	
	3rd						09.07.11	
	4th						09.07.11	

		ICESCR	ICCPR	CERD	CEDAW	CAT	CRC	CRPD
Solomon Islands	Entered into Force	17.4.82		17.04.82	06.06.02		10.05.95	
	Initial Report	02.07.01		02.02.83	06.06.03		21.02.01	
	2nd	30.06.05		16.04.85	06.06.07		09.05.07	
	3rd	30.06.10		16.04.87	06.06.11		09.05.07	
	4th			16.04.89			09.05.12	
	5th			16.04.91				
	6th			16.04.93				
	7th			16.04.95				
	8th			16.04.97				
	9th			16.04.99				
	10th			16.04.01				
	11th			16.04.03				
	12th			16.04.05				
	13th			16.04.07				
	14th			16.04.09				
15th			16.04.11					
		ICESCR	ICCPR	CERD	CEDAW	CAT	CRC	CRPD
Nauru	Entered into Force				23.07.11	26.09.12	27.08.94	27.06.12
	Initial Report						25.08.96	
	2nd						25.08.01	
	3rd						25.08.06	
	4th						25.08.11	

		ICESCR	ICCPR	CERD	CEDAW	CAT	CRC	CRPD
Papua New Guinea	Entered into Force	21.08.08	21.08.08	27.02.82	12.02.95		02.04.93	
	Initial Report	30.06.10	21.10.09	16.08.83	20.02.09		23.04.03	
	2nd			26.02.85	20.02.09		30.09.08	
	3rd			26.02.87	20.02.09		30.09.08	
	4th			26.02.89				
	5th			26.02.91				
	6th			26.02.93				
	7th			26.02.95				
	8th			26.02.97				
	9th			26.02.99				
	10th			26.02.01				
	11th			26.02.03				
	12th			26.02.05				
	13th			26.02.07				
	14th			26.02.09				
15th			26.02.11					
		ICESCR	ICCPR	CERD	CEDAW	CAT	CRC	CRPD
RMI	Entered into Force				02.04.06		04.11.93	
	Initial Report				02.04.07		18.03.98	
	2nd				02.04.11		07.12.04	
	3rd						02.11.10	
	4th						02.11.10	
		ICESCR	ICCPR	CERD	CEDAW	CAT	CRC	CRPD
FSM	Entered into Force				01.10.04		05.06.93	
	Initial Report				01.10.05		16.04.96	
	2nd				01.10.09		03.06.00	
	3rd						03.06.05	
	4th						03.06.10	

		ICESCR	ICCPR	CERD	CEDAW	CAT	CRC	CRPD
Tonga	Entered into Force			16.03.72			06.12.95	
	Initial Report			15.12.72			05.12.97	
	2nd			28.10.75			05.12.02	
	3rd			21.02.78			05.12.07	
	4th			07.04.81			05.12.12	
	5th			07.04.81				
	6th			19.05.83				
	7th			01.03.85				
	8th			26.06.87				
	9th and 10th			07.01.93				
	11th, 12th, 13th			27.03.97				
	14th			17.03.99				
	15th			17.03.01				
	16th			17.03.03				
	17th			17.03.05				
	18th - 20th			17.03.07				
	19th			17.03.09				
	20th			17.03.11				
		ICESCR	ICCPR	CERD	CEDAW	CAT	CRC	CRPD
Vanuatu	Entered into Force		21.12.08		08.10.95	12.07.11	07.08.93	23.11.08
	Initial Report		21.02.10		02.03.05	12.08.12	27.01.97	23.11.10
	2nd				02.03.05		05.08.00	
	3rd				02.03.05		05.08.05	
	4th				08.10.12		05.08.10	
	5th				08.10.12			
		ICESCR	ICCPR	CERD	CEDAW	CAT	CRC	CRPD
Palau	Entered into Force						04.09.95	
	Initial Report						21.10.98	
	2nd						03.09.02	
	3rd						03.09.07	
	4th						03.09.12	

		ICESCR	ICCPR	CERD	CEDAW	CAT	CRC	CRPD
Samoa	Entered into Force		17.03.08		25.10.92		29.12.94	
	Initial Report		15.05.09		02.05.03		09.11.05	
	2nd				02.05.03		28.12.11	
	3rd				02.05.03		28.12.11	
	4th				29.11.10		28.12.11	
	5th				29.11.10			

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- 165 Ibid para 51.

- 166 See Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, UN Basic Principles on the Independence of the Judiciary (1985) <<http://www2.ohchr.org/english/law/indjudiciary.htm>>. See also International Commission of Jurists, International Principles on the Independence and Accountability of Judges, Lawyers and Prosecutors (2004) <<http://www.mafhoum.com/press7/230S24.pdf>>.
- 167 See American Bar Association, Assessment Tools and Indicators – Anti-Corruption and Public Integrity, <http://www.americanbar.org/advocacy/rule_of_law/thematic_areas/anti_corruption.html>.
- 168 See Penal Reform International, Making Standards Work: An International Handbook on Good Prison Practice, <<http://www.penalreform.org/files/man-2001-making-standards-work-en.pdf>>, see also Council of Europe, European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) Guidelines (2011) <<http://www.cpt.coe.int/en/documents/eng-standards.pdf>>.
- 169 Economic and Social Council, Standard Minimum Rules for the Treatment of Prisoners, ESC Res 663 C (XXIV) and 2076 (LXII) UN ESCOR (13 May 1977) <<http://www2.ohchr.org/english/law/treatmentprisoners.htm>>.
- 170 See National institutions for the promotion and protection of human rights, GA Res 48/134, UN GAOR, 85th plen mtg, UN Doc A/RES/48/134 (20 December 1993) annex ('Principles relating to the Status of National Institutions (The Paris Principles)') <<http://www2.ohchr.org/english/law/parisprinciples.htm>>.
- 171 See American Bar Association, Assessment Tools and Indicators – Anti-Corruption and Public Integrity, <http://www.americanbar.org/advocacy/rule_of_law/thematic_areas/anti_corruption.html>.
- 172 See Jivan, V. and Forster, C. Translating CEDAW into Law (UNIFEM, UNDP, 2007), see also CEDAW Legislative Compliance Indicators (UNDP) <http://www.undppc.org.fj/_resources/article/files/TCL_Indicators_Chapter_s.pdf>.
- 173 Human Rights Council, Report of the Working Group on the Universal Periodic Review - Fiji, 14th sess, Agenda Item 6, UN Doc A/HRC/14/8 (23 March 2010) para 1.
- 174 Ibid annex.
- 175 Human Rights Council, National report submitted in accordance with paragraph 15 (a) of the annex to Human Rights Council resolution 5/1 – Fiji, 7th sess, UN Doc A/HRC/WG.6/7/FJI/1 (4 February 2010) para 9.
- 176 Report of the Working Group - Fiji above n 173, para 6.
- 177 Amnesty International; ARC International; Citizens' Constitutional Forum; Earth Justice; Ecumenical Centre for Research, Education and Advocacy; Fiji Disabled Peoples Association; Fiji Law Society; Fundación Mundial Déjame Vivir en Paz; Fiji Women's Crisis Centre; Fiji Women's Rights Movement; Global Initiative to End All of Corporal Punishment of Children; Human Rights Watch; Institute on Religion and Public Policy; Joint submission: Lechuga Foundation Fiji and Sexual Rights Initiative; Methodist Church of Fiji and Rotunda; Pacific Concerns Resource Centre; Save the Children Fiji.
- 178 Human Rights Council, Summary prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1 – Fiji, 7th sess, UN Doc A/HRC/WG.6/7/FJI/3 (11 November 2009).
- 179 Report of the Working Group – Fiji, above n 173, paras 28, 29, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 43, 44, 57, 59, 61, 62, 63, 64, 65, 66.
- 180 Ibid recommendations 71/11, 71/12, 71/13, 71/14, 71/15, 71/16, 71/17, 71/18, 71/19, 71/20, 71/21, 71/22, 71/23, 71/24, 71/25, 71/26, 71/32, 71/33, 71/34, 71/35, 71/83, 71/95, 71/100.
- 181 Ibid para 70.
- 182 Ibid para 8.
- 183 Ibid recommendations 71/36, 71/37, 71/38, 71/39, 71/40, 71/84, 71/85, 71/86, 71/88, 71/89, 71/90, 71/91, 71/92, 71/98.
- 184 Ibid para 54.
- 185 Ibid para 15.
- 186 Ibid paras 61, 62, 64.
- 187 Ibid recommendations 71/27, 71/28, 71/29, 71/30, 71/31, 71/32, 71/33, 71/34, 71/35, 71/36, 71/60, 71/61, 71/62, 71/63, 71/64, 71/65, 71/70, 71/71, 71/72, 71/73, 71/74, 71/75, 71/76, 71/77, 71/78, 71/79, 71/80, 71/81, 71/82.
- 188 Ibid para 13.
- 189 Ibid paras 38, 40, 41, 45, 59.
- 190 Ibid recommendations 71/55, 71/56, 71/ 66, 71/67.
- 191 Ibid para 18.
- 192 Human Rights Council, Compilation Prepared by the Office of the High Commissioner for Human Rights, in Accordance with Paragraph 15 (B) of the Annex to Human Rights Council Resolution 5/1 – Fiji, 7th sess, UN Doc A/HRC/WG.6/7/FJI/2 (13 November 2009) pt I A.
- 193 Ibid recommendations 71/1, 71/2, 71/3, 71/4, 71/5, 71/6, 71/7, 71/9.

- 194 Ibid recommendations 71/45, 71/46, 71/47, 71/48, 71/49, 71/50, 71/51, 71/52, 71/53, 71/54.
- 195 Ibid para 48.
- 196 See International Institute for Democracy and Electoral Assistance, International Electoral Standards – Guidelines for Reviewing the Legal Framework of Elections, (2002) < http://www.idea.int/publications/ies/upload/electoral_guidelines-2.pdf>
- 197 See Penal Reform International, Making Standards Work: An International Handbook on Good Prison Practice, <<http://www.penalreform.org/files/man-2001-making-standards-work-en.pdf>>, see also Council of Europe, European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) Guidelines (2011) <<http://www.cpt.coe.int/en/documents/eng-standards.pdf>>.
- 198 Economic and Social Council, Standard Minimum Rules for the Treatment of Prisoners, ESC Res 663 C (XXIV) and 2076 (LXII) UN ESCOR (13 May 1977) < <http://www2.ohchr.org/english/law/treatmentprisoners.htm>>.
- 199 See National institutions for the promotion and protection of human rights, GA Res 48/134, UN GAOR, 85th plen mtg, UN Doc A/RES/48/134 (20 December 1993) annex ('Principles relating to the Status of National Institutions (The Paris Principles)') <<http://www2.ohchr.org/english/law/parisprinciples.htm>>.
- 200 Report of the Working Group– Kiribati, above n 38, para 1.
- 201 Ibid annex.
- 202 Ibid para 24, 65.
- 203 Human Rights Council, National report submitted in accordance with paragraph 15 (a) of the annex to Human Rights Council resolution 5/1 – Kiribati, 8th sess, UN Doc A/HRC/WG.6/8/KIR/1 (23 February 2010) para 2, 3.
- 204 Ibid para 2.
- 205 Amnesty International; EarthJustice; Global Initiative to End All Corporal Punishment of Children; Institute on Religion and Public Policy; Joint Submission: Franciscans International, Marist Foundation for International Solidarity and Marist Oceania Solidarity Commission; Joint Submission: ARC International and International Lesbian and Gay Association; Joint Submission: Te Toa Matoa and School for the Disabled; Kiribati Women Activists Network.
- 206 Human Rights Council, Summary prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1 – Kiribati, 8th sess, UN Doc A/HRC/WG.6/8/KIR/3 (28 January 2010).
- 207 Report of the Working Group - Kiribati, above n 38, para 60.
- 208 Ibid para 59.
- 209 Human Rights Council, Report of the Working Group on the Universal Periodic Review – Kiribati, Addendum - Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review, 15th sess, Agenda item 6, UN Doc A/HRC/15/3/Add.1 (30 September 2010) paras 4, 5.
- 210 Report of the Working Group - Kiribati, above n 38, para 40.
- 211 Ibid paras 36, 56.
- 212 Ibid recommendations 66/24, 66/25, 66/26, 66/27, 66/28, 66/29.
- 213 Report of the Working Group – Kiribati, Addendum, above n 209, para 30.
- 214 Report of the Working Group - Kiribati, above n 38, para 51.
- 215 Ibid para 41.
- 216 Ibid para 55.
- 217 Ibid para 52.
- 218 Ibid para 43.
- 219 Ibid para 63.
- 220 Ibid para 59.
- 221 Ibid para 58.
- 222 Ibid para 44.
- 223 The government stated it is prepared to consider this recommendation but not accept it.
- 224 The government stated it is prepared to consider this recommendation but not accept it.
- 225 The government stated it is prepared to consider this recommendation but not accept it.
- 226 The government stated it is prepared to consider this recommendation but not accept it.
- 227 The government stated it is prepared to consider this recommendation but not accept it.
- 228 The government stated it is prepared to consider this recommendation but not accept it.
- 229 The government stated it is prepared to consider this recommendation but not accept it.

- 230 The government stated it is prepared to consider the recommendations but not accept it.
- 231 See United Nations Standard Minimum Rules for the Administration of Juvenile Justice, GA Res 40/33, UN GAOR, 96th plen mtg, UN Doc A/RES/40/33 (29 November 1985) annex ('United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules)') <<http://www2.ohchr.org/english/law/beijingrules.htm>>.
- 232 The government stated it is prepared to consider the recommendations but not accept it.
- 233 See United Nations Standard Minimum Rules for the Administration of Juvenile Justice, GA Res 40/33, UN GAOR, 96th plen mtg, UN Doc A/RES/40/33 (29 November 1985) annex ('United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules)') <<http://www2.ohchr.org/english/law/beijingrules.htm>>.
- 234 The government stated it is prepared to consider this recommendation but not accept it.
- 235 The government stated it is prepared to consider these recommendations but not accept them.
- 236 See National institutions for the promotion and protection of human rights, GA Res 48/134, UN GAOR, 85th plen mtg, UN Doc A/RES/48/134 (20 December 1993) annex ('Principles relating to the Status of National Institutions (The Paris Principles)') <<http://www2.ohchr.org/english/law/parisprinciples.htm>>.
- 237 The government stated it is prepared to consider these recommendations but not accept them.
- 238 See Jivan, V. and Forster, C. Translating CEDAW into Law (UNIFEM, UNDP, 2007), see also CEDAW Legislative Compliance Indicators (UNDP) <http://www.undppc.org.fj/_resources/article/files/TCL_Indicators_Chapter_s.pdf>.
- 239 The government stated it is prepared to consider this recommendation but not accept it.
- 240 The government stated it is prepared to consider this recommendation but not accept it.
- 241 The government stated it is prepared to consider these recommendations but not accept them.
- 242 The government stated it is prepared to consider this recommendation but not accept it.
- 243 The government stated it is prepared to consider this recommendation but not accept it.
- 244 The government stated it is prepared to consider these recommendations but not accept them.
- 245 Human Rights Council, Report of the Working Group on the Universal Periodic Review – Republic of the Marshall Islands, 16th sess, Agenda Item 6, UN Doc A/HRC/16/12 (4 January 2011) para 1.
- 246 Ibid annex.
- 247 National report – Republic of the Marshall Islands, above n 29, para 1.
- 248 Ibid.
- 249 Ibid para 2.
- 250 Ibid para 3.
- 251 Global Initiative to End All Corporal Punishment of Children; Marshall Islands Special Parents Association; Society for Threatened Peoples; Joint Submission: Earthjustice, Pohnpei Women Advisory Council, Many Strong Voices, Human Rights Advocates, Greenpeace; Joint Submission: Coalition for NGOs Marshall Islands; Marshall Islands Youth to Youth in Health.
- 252 Human Rights Council, Summary prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1 – Republic of the Marshall Islands, 9th sess, UN Doc A/HRC/WG.6/9/MHL/3 (30 July 2010).
- 253 Human Rights Council, Compilation Prepared by the Office of the High Commissioner for Human Rights, in Accordance with Paragraph 15(b) of the Annex to Human Rights Council Resolution 5/1 – Republic of the Marshall Islands, 9th sess, UN Doc A/HRC/WG.6/9/MHL/2 (4 August 2010) pt I A.
- 254 Report of the Working Group – Republic of the Marshall Islands, above n 245, paras 27, 29, 30, 32, 37, 38, 39, 43.
- 255 Ibid recommendations 56/1, 56/2, 56/3, 56/4, 56/5, 56/6, 56/7, 56/8.
- 256 Ibid para 47.
- 257 Ibid paras 28, 30, 31, 32, 33, 35, 36, 37, 38, 39, 41, 43, 45.
- 258 Ibid recommendations 56/15, 56/16, 56/17, 56/18, 56/19, 56/25, 56/26, 56/27.
- 259 Ibid paras 34, 35, 40, 41, 43, 45.
- 260 Ibid recommendations 56/12, 56/15, 56/17, 56/18, 56/19, 56/20, 56/21, 56/22, 56/33, 56/34.
- 261 Ibid paras 28, 33, 38, 46.
- 262 Ibid recommendation 56/36.
- 263 Ibid para 18.
- 264 Ibid paras 30, 32, 33, 43.
- 265 Ibid recommendations 56/24, 56/28, 56/29.

- 266 See Penal Reform International, Making Standards Work: An International Handbook on Good Prison Practice, <<http://www.penalreform.org/files/man-2001-making-standards-work-en.pdf>>, see also Council of Europe, European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) Guidelines (2011) <<http://www.cpt.coe.int/en/documents/eng-standards.pdf>>.
- 267 Economic and Social Council, Standard Minimum Rules for the Treatment of Prisoners, ESC Res 663 C (XXIV) and 2076 (LXII) UN ESCOR (13 May 1977) <<http://www2.ohchr.org/english/law/treatmentprisoners.htm>>.
- 268 These recommendations were noted rather than accepted.
- 269 See National institutions for the promotion and protection of human rights, GA Res 48/134, UN GAOR, 85th plen mtg, UN Doc A/RES/48/134 (20 December 1993) annex ('Principles relating to the Status of National Institutions (The Paris Principles)') <<http://www2.ohchr.org/english/law/parisprinciples.htm>>.
- 270 This recommendation was noted rather than accepted.
- 271 Report of the Working Group - Federated States of Micronesia, above n 35, para 1.
- 272 Ibid annex.
- 273 Human Rights Council, National report submitted in accordance with paragraph 15 (a) of the annex to Human Rights Council resolution 5/1 – Federated States of Micronesia, 9th sess, UN Doc A/HRC/WG.6/9/FSM/1 (23 August 2010) paras 1, 2, 3.
- 274 Ibid paras 30, 32.
- 275 Global Initiative to End All Corporal Punishment of Children; Joint Submission: Earthjustice, Pohnpei Women Advisory Council, Many Strong Voices, Human Rights Advocates, Greenpeace; Institute on Religion and Public Policy; Joint Submission: Sexual Rights Information of Micronesia and the Sexual Rights Initiative.
- 276 Human Rights Council, Summary prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1 – Federated States of Micronesia, 9th sess, UN Doc A/HRC/WG.6/9/FSM/3 (15 July 2010).
- 277 Report of the Working Group – Federated States of Micronesia, above n 35, paras 24, 25, 26, 29, 30, 33, 35, 42, 46, 47, 53.
- 278 Ratified on 23 April 2012.
- 279 Human Rights Council, Compilation Prepared by the Office of the High Commissioner for Human Rights, in Accordance with Paragraph 15(b) of the Annex to Human Rights Council Resolution 5/1 – Federated States of Micronesia, 9th sess, UN Doc A/HRC/WG.6/9/FSM/2 (15 July 2010) pt I A.
- 280 Report of the Working Group – Federated States of Micronesia, above n 35, paras 29, 31, 32, 45, 49.
- 281 Ibid recommendations 61/1, 61/2, 61/3, 61/4, 61/5, 61/6, 61/7, 61/8, 61/9, 61/10, 61/11, 61/12, 61/13, 61/14, 61/15, 61/16, 61/17, 61/18, 61/19, 61/20, 61/46, 61/47, 61/48, 61/49.
- 282 Ibid para 59.
- 283 Ibid para 36.
- 284 Ibid.
- 285 Ibid para 43.
- 286 Ibid recommendations 61/39, 61/40, 61/41.
- 287 Ibid para 54.
- 288 Ibid paras 27, 28, 29, 30, 31, 32, 33, 34, 35, 42, 45, 46, 48, 49.
- 289 Ibid para 38.
- 290 Ibid para 37.
- 291 Ibid para 56.
- 292 Ibid paras 24, 31, 32, 34, 49.
- 293 Ibid recommendations 61/28, 61/31, 61/32, 61/33, 61/34, 61/35, 61/36, 61/37, 61/38, 61/47, 61/55, 61/64, 61/65, 61/66.
- 294 Ibid para 17.
- 295 Ibid para 63(c).
- 296 Ibid paras 23, 25, 28, 29, 31, 32, 45, 46.
- 297 Ibid paras 31, 45.
- 298 Ibid paras 33, 46.
- 299 Ibid recommendation 61/73.
- 300 Ibid para 60.
- 301 No clear response was given to this recommendation.

- 302 No clear response was given to this recommendation.
- 303 See Penal Reform International, Making Standards Work: An International Handbook on Good Prison Practice, <<http://www.penalreform.org/files/man-2001-making-standards-work-en.pdf>>, see also Council of Europe, European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) Guidelines (2011) <<http://www.cpt.coe.int/en/documents/eng-standards.pdf>>.
- 304 Economic and Social Council, Standard Minimum Rules for the Treatment of Prisoners, ESC Res 663 C (XXIV) and 2076 (LXII) UN ESCOR (13 May 1977) < <http://www2.ohchr.org/english/law/treatmentprisoners.htm>>.
- 305 See National institutions for the promotion and protection of human rights, GA Res 48/134, UN GAOR, 85th plen mtg, UN Doc A/RES/48/134 (20 December 1993) annex ('Principles relating to the Status of National Institutions (The Paris Principles)') <<http://www2.ohchr.org/english/law/parisprinciples.htm>>.
- 306 No clear position was given on these recommendations.
- 307 Report of the Working Group– Kiribati, above n 38, para 1.
- 308 Report of the Working Group - Nauru, above n 36, annex.
- 309 Human Rights Council, National report submitted in accordance with paragraph 15 (a) of the annex to Human Rights Council resolution 5/1 – Nauru, 10th sess, UN Doc A/HRC/WG.6/10/NRU/1 (5 November 2010) para 3.
- 310 Aiwo District Committee; Evergreen Concern Group; Joint Submission of Nauru Island Association of Non-Government Organizations, Community Paralegals, Catholic Women's Group and the Nauru Provident Fund and Superannuation Funds; Joint Submission of ARC International, International Lesbian, Gay, Bisexual, Trans and Intersex Association and ILGA-Europe; Joint Submission of Nauru National Youth Council and Menen Youth Council; Joint Submission of Earthjustice, Nauru Island Association of NGOs, Human Rights Advocates, Many Strong Voices, Greenpeace International, IndyAct and 350.org; Nauru Disabled People's Association; Nauru Young Women's National Council; OceaniaHR.
- 311 Human Rights Council, Summary prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1 – Nauru, 10th sess, UN Doc A/HRC/WG.6/10/NRU/3 (17 September 2010).
- 312 Human Rights Council, Report of the Working Group on the Universal Periodic Review – Nauru, Addendum - Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review, 17th sess, Agenda item 6, UN Doc A/HRC/17/3/Add.1 (30 May 2011).
- 313 Ratified on 27 June 2012.
- 314 Ratified on 23 June 2011.
- 315 Ratified on 26 September 2012.
- 316 Report of the Working Group - Nauru, above n 36, recommendations 79/1, 79/2, 79/3, 79/4, 79/5, 79/6, 79/7, 79/8, 79/9, 79/10, 79/11, 79/12, 79/13, 79/14, 79/15, 79/16, 79/17, 79/18, 79/19, 79/20, 79/21, 79/22, 79/23, 79/24, 79/25, 79/26, 79/27, 79/49, 79/50, 79/51, 79/52, 79/53, 79/62, 79/102.
- 317 Ibid, paras 39, 41, 42, 43, 53, 57, 61, 60.
- 318 Ibid para 42.
- 319 Ibid para 20.
- 320 Ibid.
- 321 Ibid paras 44, 54.
- 322 Ibid para 9.
- 323 Ibid paras 30, 31, 32, 33, 38, 39, 40, 41, 42, 49, 51, 53, 59, 60, 61, 62, 67.
- 324 Ibid recommendations 79/6, 79/29, 79/38, 79/39, 79/54, 79/55, 79/56, 79/58, 79/59, 79/60, 79/61, 79/62, 79/63, 79/64, 79/65, 79/66, 79/67, 79/68, 79/80/
- 325 Ibid recommendations 79/8, 79/9, 79/10, 79/11, 79/12, 79/13, 79/14, 79/19, 79/20, 79/24, 79/25.
- 326 Ibid paras 30, 33, 38, 39, 51 and 59.
- 327 Ibid paras 44 and 37.
- 328 Ibid paras 29, 30, 31, 39, 49, 52, 60, 65, 68, 69.
- 329 Ibid paras 24 and 25.
- 330 This recommendation was noted rather than accepted.
- 331 See National institutions for the promotion and protection of human rights, GA Res 48/134, UN GAOR, 85th plen mtg, UN Doc A/RES/48/134 (20 December 1993) annex ('Principles relating to the Status of National Institutions (The Paris Principles)') <<http://www2.ohchr.org/english/law/parisprinciples.htm>>.
- 332 All recommendations referring to the ratification of the ICESCR were noted rather than accepted.

- 333 All recommendations referring to the ratification of the CRPD and its Optional Protocol were noted rather than accepted.
- 334 All recommendations referring to the ratification of the ICERD were noted rather than accepted.
- 335 All recommendations referring to the ratification of the ILO fundamental conventions were noted rather than accepted.
- 336 All recommendations referring to the ratification of the ICCPED were noted rather than accepted.
- 337 All recommendations referring to the ratification of the Rome Statute were noted rather than accepted.
- 338 All recommendations referring to the ratification of the Convention on the Prevention and Punishment of the Crime of Genocide were noted rather than accepted.
- 339 No clear response was given to this recommendation.
- 340 This recommendation was noted.
- 341 Report of the Working Group – Palau, above n 34, para 1.
- 342 Ibid annex.
- 343 See Human Rights Council, National report submitted in accordance with paragraph 15 (a) of the annex to Human Rights Council resolution 5/1 – Palau, 11th sess, UN Doc A/HRC/WG.6/11/PL (2 February 2011) paras 2, 3, 4.
- 344 Report of the Working Group - Palau, above n 34, para 54.
- 345 Joint Submission: Earthjustice, Greenpeace International, Human Rights Advocates, 350.org.; Joint Submission: ARC International, International Lesbian and Gay Association; Global Initiative to End All Corporal Punishment of Children; OceaniaHR; VOICES Palau.
- 346 Human Rights Council, Summary prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1 – Palau, 11th sess, UN Doc A/HRC/WG.6/11/PLW/3 (16 February 2011).
- 347 Human Rights Council, Compilation Prepared by the Office of the High Commissioner for Human Rights, in Accordance with Paragraph 15(b) of the Annex to Human Rights Council Resolution 5/1 - Palau, 11th sess, UN Doc A/HRC/WG.6/11/PLW/2 (17 February 2011) pt IA.
- 348 Report of the Working Group - Palau, above n 34, recommendations 62/1, 62/2, 62/3, 62/4, 62/5, 62.6, 62/7, 62/8, 62/9, 62/10, 62/11, 62/12, 62/13, 62/14, 62/15, 62/16, 62/17, 62/18, 62/19, 62/20, 62/21, 62/22, 62/23, 62/24, 62/25, 62/26, 62/27, 62/28, 62/33.
- 349 Ibid paras 24, 27, 29, 32, 33, 43, 49, 51.
- 350 Ibid paras 26, 28, 39, 43, 45, 50.
- 351 Ibid recommendations 61/5, 61/6, 61/7, 61/8, 61/9, 61/10, 61/11, 61/12, 61/13, 62/1.
- 352 Ibid para 38.
- 353 Ibid paras 28, 32, 33, 34, 35, 37, 39, 45, 48, 49, 51, 53.
- 354 Ibid para 18.
- 355 Ibid recommendations 61/3, 61/4, 61/19, 61/21, 61/24, 61/25, 61/26, 61/27, 61/28, 61/29, 61/30, 61/31, 61/32, 61/33, 61/34, 61/35, 61/42, 61/47, 61/48.
- 356 Ibid paras 26, 27, 29, 30, 31, 33, 34, 41, 43, 44, 50, 51, 52, 53, 56.
- 357 Ibid recommendations 61/4, 61/14, 61/16, 61/17, 61/19, 61/22, 61/23, 61/27, 61/34, 61/38, 61/39, 61/40, 61/41, 61/42, 61/46, 62/18, 62/24, 62/29, 62/34, 62/35, 62/36, 62/37.
- 358 Ibid para 18.
- 359 Ibid paras 33, 34, 36, 37, 40, 43, 44, 49, 50, 53.
- 360 Ibid recommendations 61/15, 61/36, 61/37, 61/38, 62/33.
- 361 Ibid para 10.
- 362 Ibid para 59.
- 363 Ibid paras 29, 30, 31, 43, 47, 48, 50, 53.
- 364 Ibid recommendations 61/57, 61/58, 61/59.
- 365 Ibid para 58.
- 366 All recommendations related to this recommendation were noted rather than accepted.
- 367 See National institutions for the promotion and protection of human rights, GA Res 48/134, UN GAOR, 85th plen mtg, UN Doc A/RES/48/134 (20 December 1993) annex ('Principles relating to the Status of National Institutions (The Paris Principles)') <<http://www2.ohchr.org/english/law/parisprinciples.htm>>.
- 368 All recommendations related to the ratification of this treaty were noted rather than accepted.

- 369 Ibid.
- 370 Ibid.
- 371 Ibid.
- 372 Ibid.
- 373 Ibid.
- 374 Ibid.
- 375 Ibid.
- 376 Ibid.
- 377 Ibid.
- 378 Human Rights Council, Report of the Working Group on the Universal Periodic Review – Solomon Islands, 18th sess, Agenda Item 6, UN Doc A/HRC/18/8 (11 July 2011) para 1.
- 379 Ibid annex.
- 380 Human Rights Council, National report submitted in accordance with paragraph 15 (a) of the annex to Human Rights Council resolution 5/1 – Solomon Islands, 11th sess, UN Doc A/HRC/WG.6/11/SLB/1 (15 April 2011) para 2.
- 381 Ibid para 2(e).
- 382 Amnesty International; Global Initiative to End All Corporal Punishment of Children; International Centre for Transitional Justice, Joint Submission: Development Services Exchange, Coalition of Education Solomon Islands, Family Support Centre, Literacy Association Solomon Islands, Live and Learn Environmental Education, People with Disabilities Solomon Islands, Solomon Islands Indigenous People’s Human Rights Advocacy Association, Solomon Islands Red Cross, and Transparency Solomon Islands; Joint Submission: Earthjustice, Greenpeace, Human Rights Advocates, 350.ORG; Joint Submission: Franciscans International and Foundation for Marist Solidarity International; Joint Submission: ARC International and the International Lesbian, Gay, Bisexual, Trans and Intersex Association; Save the Children Solomon Islands; Society for Threatened Peoples.
- 383 Human Rights Council, Summary prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1 – Solomon Islands, 11th sess, UN Doc A/HRC/WG.6/11/SLB/3 (16 February 2010).
- 384 Report of the Working Group – Solomon Islands, above n 378, paras 34, 56, 72, 73.
- 385 Ibid recommendations 79/1, 79/2, 79/3, 79/4, 79/5, 79/6, 79/7.
- 386 Ibid para 25.
- 387 Ibid paras 31, 35, 36, 37, 38, 39, 40, 55, 56, 57, 58, 59, 61, 63, 68, 69, 71, 72.
- 388 Ibid recommendations 80/1, 80/2, 80/3, 80/4, 80/5, 80/6, 80/7, 80/8, 80/9, 80/10, 80/11, 80/12, 80/24, 80/25, 80/26, 80/27, 80/28, 80/29, 80/30, 80/40, 80/41, 80/42, 80/43, 80/46, 81/21, 81/23, 81/24, 81/25, 81/26, 81/27, 81/28, 81/29, 81/52, 81/53.
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- 390 Ibid paras 31, 37, 38, 39, 55, 56, 57, 59, 61, 63, 64, 66, 70, 71, 72, 73.
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