



VANUATU

BASELINE ASSESSMENT OF R2P
IMPLEMENTATION 2022



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The following Updated Assessment Annex provides an overview of Vanuatu's efforts in implementing R2P as of 2022. For a full description of the methodology used in this study, see Part II of 'Implementing the Responsibility to Protect in the Asia Pacific: An Assessment of Progress and Challenges', available [here](#). For more information on R2P implementation in the Asia Pacific in 2022, see the updated assessment [here](#).

VANUATU

Vanuatu is a strong performer on R2P implementation, scoring highly in relation to both the Pacific and the wider region.

It has ratified only seven of the twelve relevant international human rights treaties, and those it has not ratified include the Genocide Convention and the 1951 Refugee Convention. Yet, it is a member State of the International Criminal Court and signed the Rome Statute in 2011, and it is the only country that has called on the body to expand its remit to include ecocide, in the context of further climate change effects. And while it has yet to establish an independent human rights institution, the constitution provides for a wide array of protections.

Domestically, Vanuatu's strong judicial sector, effective and accountable security forces, and its vibrant civic space ensure the risk of atrocity crimes occurring in the country remains low. Like many Pacific countries, it possesses high levels of sexual and gender-based violence, and little capacity in criminalising atrocity crimes. It recently adopted its first National Security Strategy, creating a nascent capacity to counter violent extremism and provide for better border control facilities in response to refugee flows.

Internationally, Vanuatu has engaged strongly with both the UPR process and the UN General Assembly, where it has voted in favour of all resolutions referencing R2P. It has supported R2P and atrocity prevention in statements it has made at the Informal Interactive Dialogue on R2P, and regionally it is very active in fora to promote action on climate change and the self-determination of people in former colonial territories. However, a lack of capacity has meant this rhetorical support is not always backed up with practical action.

Despite not having a standing army, Vanuatu has a strong peacekeeping record, and the country has deployed peacekeepers since 2000. While Vanuatu has no peacekeepers currently deployed, it is likely to expand its capacity in this area in the future.

VANUATU

Assessment	Indicator
Very Strong	Reduction of atrocity crime risks
	Dealing with past atrocities
	Sign and ratify the Rome Statute of the International Criminal Court and cooperate fully with the Court
	Participate in international peer review processes, including the Universal Periodic Review (UPR) of the UN Human Rights Council
	Ensure equal access to justice
	Ensure a legitimate, effective and civilian controlled security sector
	Leverage existing mechanisms and institutions (including regional and sub-regional organisations) to encourage States to fulfil their responsibility to protect
	Support UN Security Council veto restraint on issues relating to atrocity prevention
Strong	Protection of populations from atrocity crimes
	Ensure domestic promotion and protection of human rights, focusing on the elimination of discrimination
	Cultivate and protect and active, diverse and robust civil society
	Participate in international, regional and national discussions on the further advancement of R2P
	Encourage and assist States to fulfil their R2P in situations of emerging or ongoing crisis, such as good offices and preventive diplomacy
	Support preventive actions on atrocity crimes
	Contribute to United Nations peacekeeping operations (especially those with a protection of civilians mandate)
Fair	Sign, ratify and implement relevant instruments of international law
	Establish and maintain National Human Rights Institutions in accordance with the Paris Principles
	Cooperate fully with UN Human Rights mandate holders and those of relevant regional organisations
	Strengthen regional and international networks for atrocity crime prevention
	Support the development and work of regional human rights and other preventive capacities
	Support the early warning and capacity building efforts of the UN Office on Genocide Prevention and R2P
	Support the strengthening of the UN's capacity for atrocity prevention, including through the UN Human Rights system
	Develop the capacities needed to support civilian protection, including through the training of military and civilian personnel for peacekeeping
Weak	Criminalise incitement to commit genocide, war crimes, ethnic cleansing and crimes against humanity
	Take measures to counter and prevent violent extremism
	Enact and implement laws protecting vulnerable groups, particularly in relation to sexual and gender-based violence
	Protect individuals and groups fleeing atrocity crimes and their risk, in accordance with International Refugee Law

	Ensure the education system reflects the ethnic, national and cultural diversity of society, and sets examples of inclusiveness
	Prevent nationals committing atrocity crimes overseas
	Strengthen the role and capacity of regional organisations
	Support atrocity prevention through development and assistance partnerships
	Support the Kigali Principles
Very Weak	Appoint national R2P Focal Point
	Incorporate atrocity crime risks and dynamics into conflict analysis and/or development partnerships
	Establish domestic mechanisms to hold the government accountable for upholding its responsibility to protect
	Conduct a national assessment of risk and resilience

Vanuatu 2022 Score: 54

Vanuatu is a strong supporter of R2P implementation, both within the wider region and amongst other Pacific island nations. It possesses strong institutions, an accountable security sector, and vibrant civic space that helps it mitigate risks of atrocities, and it continues to advocate for R2P through international mechanisms. While Vanuatu lacks capacity in some areas, it continues to engage regionally with the norm, and has undertaken efforts to address some of its domestic weaknesses, including high rates of sexual and gender-based violence and low levels of school enrolment.

Thematic Area	Indicator	Assessment	Notes
Basic Compliance	Protection of populations from atrocity crimes.	Strong	There is effective protection from atrocity crimes for the people of Vanuatu. The country suffers from political volatility and corruption, as well as rampant sexual and domestic violence. The lack of a national human rights institution is a protection gap in preventing discrimination against minorities within the country. However, Vanuatu has a traditionally vibrant civic space with an independent judiciary. These combined with general respect for human rights, effectively protect the population from atrocity crimes.
	Reduction of atrocity crime risks.	Very Strong	Due to relatively strong institutions and close ties with other Pacific nations, risks of atrocity crimes occurring in Vanuatu are low. ¹
	Dealing with past atrocities.	Very Strong	Vanuatu has been fortunate to never suffer widespread conflict or past atrocity crimes on its territory. The Coconut War, occurring around the time of Vanuatu's independence from Britain and France in 1980, was a short-lived rebellion on the island of Espiritu Santo, in the northern part of the Vanuatu archipelago. It was quickly resolved through British diplomacy and soldiers from Papua New Guinea, who arrived at the behest of the nation's first prime minister, Father Walter Lini. ²
Policy Mechanisms	Appoint national R2P Focal Point.	Very Weak	Vanuatu, as of late 2020, does not possess a national R2P Focal Point. ³
	Incorporate atrocity crime risks and dynamics into conflict analysis and/or development partnerships.	Very Weak	No evidence could be found of Vanuatu undertaking these initiatives.
	Establish domestic mechanisms to hold the government accountable for upholding its responsibility to protect.	Very Weak	No evidence could be found of Vanuatu having done this.
International Human Rights Obligations	Sign, ratify and implement relevant instruments of international law.	Fair	Vanuatu has ratified seven of the following instruments of international human rights law most relevant to R2P: <ul style="list-style-type: none"> • Geneva Conventions (Ratification/Accession: 1982). • Geneva Protocol I (Ratification/Accession: 1985).⁴ • Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment [CAT] (Ratification/Accession: 2011).

¹ Asia Pacific Centre for the Responsibility to Protect (APR2P), 2020. *Atrocity Crimes Risk Assessment Series – Vanuatu*, https://r2pasiapacific.org/files/4847/Risk_Assessment_vanuatu_vol13_february2020.pdf.

² APR2P, 2020. *Atrocity Crimes Risk Assessment Series – Vanuatu*, p. 4; The Sydney Morning Herald, 2014. 'Diplomat who fought "Coconut War" for Vanuatu independence'. *The Sydney Morning Herald*, 16 February. Available at: <https://www.smh.com.au/national/diplomat-who-fought-coconut-war-for-vanuatu-independence-20140216-32u3a.html>; Biggs, Si, 2021. *Independence of the New Hebrides "Coconut War" with France*, <https://www.royalmarineshistory.com/post/independence-of-the-new-hebrides-coconut-war-with-france>.

³ Global Centre for the Responsibility to Protect (GCR2P), 2020. *Members of the Global Network of R2P Focal Points*, <https://www.globalr2p.org/resources/members-of-the-global-network-of-r2p-focal-points/>.

⁴ International Committee of the Red Cross, n.d. *Geneva Conventions of 1949 and Additional Protocols, and their Commentaries*, <https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/vwTreaties1949.xsp>. (Vanuatu can be found by clicking the links on the relevant Conventions and Protocols).

		<ul style="list-style-type: none"> • <i>International Covenant on Civil and Political Rights</i> [ICCPR] (Ratification/Accession: 2008). • <i>Convention on the Elimination of All Forms of Discrimination against Women</i> [CEDAW] (Ratification/Accession: 1995). • <i>Convention on the Rights of the Child</i> [CRC] (Ratification/Accession: 1993).⁵ • <i>The Rome Statute of the International Criminal Court</i> (Ratification/Accession: 2011).⁶ <p>It has signed but not ratified the <i>Arms Trade Treaty</i> [ATT] (Signature Date: 2013).⁷</p> <p>Vanuatu has neither signed nor ratified the following instruments: <i>International Convention on Elimination of All Forms of Racial Discrimination</i> [CERD], <i>International Covenant on Economic, Social and Cultural Rights</i> [ICESCR], the <i>1951 Refugee Convention</i> and its <i>1967 Protocol</i>,⁸ and the <i>Convention on the Prevention and Punishment of the Crime of Genocide</i>.⁹</p>
	<p>Sign and ratify the Rome Statute of the International Criminal Court and cooperate fully with the Court.</p> <p>Very Strong</p>	<p>Vanuatu is an ICC member State and ratified the <i>Rome Statute</i> in 2011. Vanuatu has in the past asked for assistance in drafting legislation for its full implementation within the country.¹⁰</p> <p>Furthermore, Vanuatu was the only country in the 2019 Assembly of States' Parties to call for the ICC to include the crime of ecocide in addition to genocide, crimes against humanity, war crimes and the crime of aggression. Vanuatu's delegation believed the Court needed to remain relevant to the threats facing humanity, and that it was well placed to both respond to the climate crisis and support its victims.¹¹</p>
	<p>Establish and maintain National Human Rights Institutions in accordance with the Paris Principles.</p> <p>Fair</p>	<p>Vanuatu does not possess an independent institution to further human rights in the country. However, it has been undertaking studies and consultations for several years in preparation for the development of one within its governance architecture.¹²</p>

⁵ United Nations Treaty Bodies, n.d. *View the ratification status by country or by treaty*,

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

⁶ International Criminal Court (ICC), 2011. *Assembly of States Parties to the Rome Statute: Vanuatu*, <https://asp.icc-cpi.int/states-parties/asian-states/vanuatu>.

⁷ United Nations Treaty Collection (UNTC), 2022. 8. *Arms Trade Treaty*, https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXVI-8&chapter=26.

⁸ UNTC, 2022. 2. *Convention relating to the Status of Refugees*,

https://treaties.un.org/PAGES/ViewDetailsII.aspx?src=TREATY&mtdsg_no=V-2&chapter=5&Temp=mtdsg2&clang=en.

⁹ UNTC, 2022. 1. *Convention on the Prevention and Punishment of the Crime of Genocide*,

https://treaties.un.org/pages/ViewDetails.aspx?src=IND&mtdsg_no=IV-1&chapter=4.

¹⁰ Parliamentarians for Global Action, 2022. *Vanuatu and the Rome Statute*, <https://www.pgaction.org/ilhr/rome-statute/vanuatu.html>.

¹¹ Radio New Zealand, 2019. 'Vanuatu calls for ICC to include crime of ecocide'. *Radio New Zealand*, 5 December. Available at: <https://www.rnz.co.nz/international/pacific-news/404921/vanuatu-calls-for-icc-to-include-crime-of-ecocide>; Stop Ecocide International, 2019. *Vanuatu Calls for International Criminal Court to Seriously Consider Recognising Crime of Ecocide*, <https://www.stopecocide.earth/press-releases-summary/vanuatu-calls-for-international-criminal-court-to-seriously-consider-recognizing-crime-of-ecocide->. See also: Kusnetz, Nicholas, Katie Surma and Yuliya Talmazan, 2021. 'As the Climate Crisis Grows, a Movement Gathers to Make "Ecocide" an International Crime Against the Environment'. *Inside Climate News*, 7 April. Available at: <https://insideclimatenews.org/news/07042021/climate-crisis-ecocide-vanuatu-the-fifth-crime/>.

¹² Asia Pacific Forum, 2019. *Vanuatu expresses support for human rights body*, <https://www.asiapacificforum.net/news/vanuatu-expresses-support-human-rights-body/>; Daily Post, 2019. 'Scoping Study on National Human Rights Institution'. *Daily Post Digital*, 19 July. Available at: <https://www.dailypost.vu/news/scoping-study-on-national-human-rights->

	<p>Ensure domestic promotion and protection of human rights, focusing on the elimination of discrimination.</p>	<p>Strong</p>	<p>The Constitution of Vanuatu provides for the freedoms of religion, expression, assembly and association and equal treatment before the law, without discrimination based upon race, place of origin, religious beliefs, political opinions, language, or sex.¹³</p> <p>There remain areas of discrimination within Vanuatuan society. Instances of various forms of sexual and gender-based violence (SGBV) were common, particularly against women (see subsequent Indicator). Child abuse and latent discrimination against those in the LGBTIQ+ community was also widely prevalent. While rape (regardless of gender) is criminalised, there are no specific laws prohibiting spousal rape. Same-sex relationships are not criminalised, but nor is there legislation in place to prevent discrimination.¹⁴</p>
	<p>Participate in international peer review processes, including the Universal Periodic Review (UPR) of the UN Human Rights Council.</p>	<p>Very Strong</p>	<p>Vanuatu has participated in three UPR sessions, the first of which was conducted in 2009. Of the 49 recommendations it received, Vanuatu accepted 44 of them, rejecting four and partly rejecting another one.¹⁵ At the end of the process, the delegation "...reiterated that the universal periodic review was a new process for Vanuatu, but that the Government was firmly committed to the promotion and protection of human rights. Vanuatu would take on board the comments made by States and stakeholders and use them to improve its human rights-related policies and laws".¹⁶</p> <p>At its second UPR in 2014, Vanuatu accepted 95 recommendations and made note of the other 14 it received.¹⁷ The country had appointed a UPR committee to oversee the publication of its second review report. Vanuatu had worked towards implementing a number of the recommendations it received, including the ratification of certain treaties including the CAT, for which it was commended.¹⁸ Notably, one of the recommendations it noted regarded ratification of the genocide convention. This was due to genocide and aggression not being perceived as a serious threat in the context of Vanuatu.¹⁹</p>

[institution/article_05100131-a8e6-512a-8d03-b1de086d4c7f.html](https://www.spc.int/updates/blog/2021/08/vanuatu-prepares-to-establish-a-national-human-rights-institution-nhri). Pacific Community, 2021. *Vanuatu prepares to establish a National Human Rights Institution (NHRI)*, <https://www.spc.int/updates/blog/2021/08/vanuatu-prepares-to-establish-a-national-human-rights-institution-nhri>.

¹³ Republic of Vanuatu, Government of Vanuatu, *Constitution of the Republic of Vanuatu, Chapter 2, Part 1, Article 5*. Port Vila, 2006.

¹⁴ U.S Department of State, 2021. *2020 Country Reports on Human Rights Practices: Vanuatu*, 'Section 6. Discrimination, Societal Abuses, and Trafficking in Persons', <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/vanuatu/>; Freedom House, 2022. *Freedom in the World 2021: Vanuatu*, 'Civil Liberties', <https://freedomhouse.org/country/vanuatu/freedom-world/2021#CL>.

¹⁵ UPR-Info, 2009. *Responses to Recommendations: Vanuatu*, https://www.upr-info.org/sites/default/files/document/vanuatu/session_5_-_may_2009/recommendationstovanuatu2009.pdf.

¹⁶ United Nations, Human Rights Council (HRC), Report of the Human Rights Council on its twelfth session, 25 February 2010, A/HRC/12/50, p. 152.

¹⁷ UPR-Info, 2014. *2RP: Responses to Recommendations & Voluntary Pledges: Vanuatu*, https://www.upr-info.org/sites/default/files/document/vanuatu/session_18_-_january_2014/recommendations_and_pledges_vanuatu_2014.pdf.

¹⁸ United Nations, HRC, Report of the Working Group on the Universal Periodic Review Vanuatu, 4 April 2014, A/HRC/26/9, paras. 29 – 32.

¹⁹ United Nations, HRC, Report of the Human Rights Council on its twenty-sixth session, 11 December 2014, A/HRC/26/2, para. 586.

		At its third UPR in 2019, it accepted 96 of the 135 recommendations it received, noting the other 39. ²⁰ Vanuatu was commended for developing a national implementation plan for the UPR that divided recommendations into thematic areas, the first of its kind in the Pacific, to better facilitate their implementation. ²¹ It also reiterated its commitment to "...cooperating constructively with the review mechanism and making further efforts for the protection and promotion of human rights". ²²
Cooperate fully with UN Human Rights mandate holders and those of relevant regional organisations.	Fair	Vanuatu put forth a standing invitation to UN mandate holders in 2009, the same year as its first UPR. None of the six proposed visits have yet to be fulfilled. ²³
Ensure equal access to justice.	Very Strong	Justice proceedings within Vanuatu are strong and effective. Innocence is assumed in trials in accordance with the constitution, and the judiciary is widely considered effective and impartial, ruling in high profile cases of corruption of former elected officials. ²⁴ Issues around harsh conditions of prison facilities remain, as do long instances of pretrial detention. ²⁵ These issues have been brought up in Vanuatu's UPRs, and the government has been broadly receptive in addressing them.
Criminalise incitement to commit genocide, war crimes, ethnic cleansing and crimes against humanity.	Weak	There is provision in Vanuatu for the criminalisation of war crimes committed in Vanuatu under the <i>Geneva Conventions Act of Vanuatu</i> , yet that is the only atrocity accounted for. ²⁶ There is no direct reference to any atrocity crimes in the <i>Penal Code [CAP 135]</i> .
Take measures to counter and prevent violent extremism.	Weak	Measures against violent extremism and terrorism in Vanuatu have historically been small, given there has been no terrorist attacks in the country and limited resources to provide for counter-terrorism measures. Vanuatu's first ever National Security Strategy developed the country's first National Security Council, to deliver on the Strategy's objectives, which conceptualises security to include climate change and natural disasters, cyber security, and human security in addition to more traditional

²⁰ UPR-Info, 2019. *Responses to Recommendations: Vanuatu*, https://www.upr-info.org/sites/default/files/document/vanuatu/session_32_-_january_2019/2rps_vanuatu.pdf.

²¹ United Nations, HRC, Report of the Working Group on the Universal Periodic Review Vanuatu, 5 April 2019, A/HRC/41/10, para. 8. See also: United Nations Human Rights Office of the High Commissioner (UNOHCHR), 2019. *Vanuatu: The Universal Periodic Review*, https://www.ohchr.org/sites/default/files/lib-docs/HRBodies/UPR/Documents/Session32/VU/Infographic_Vanuatu.pdf.

²² Ibid., para. 89.

²³ UNOHCHR, n.d. *View Country visits of Special Procedures of the Human Rights Council since 1998*, <https://spinternet.ohchr.org/ViewCountryVisits.aspx?visitType=all&country=VUT&Lang=en>.

²⁴ Freedom House, 2021. *Freedom in the World 2021: Vanuatu*, 'F. Rule of Law'; Transparency International, 2021. *Vanuatu: Corruption Worsening The Impacts of COVID-19 and Natural Disasters*, <https://www.transparency.org/en/blog/cpi-2020-vanuatu-corruption-worsening-the-impacts-of-covid-19-natural-disasters>.

²⁵ U.S Department of State, 2021. *2020 Country Reports on Human Rights Practices: Vanuatu*, 'Section 1. Respect for the Integrity of the Person, Including Freedom from: Prison and Detention Center Conditions, Arrest Procedures and Treatment of Detainees'.

²⁶ Pacific Islands Legal Information Institute. 'Geneva Conventions Act of Vanuatu'. (24 August 1982). *Equipo Nizkor*. Part 2, Section 4. <

[https://www.derechos.org/intlaw/doc/vut1.html#:~:text=\(An%20Act%20to%20provide%20for,provisions%20of%20the%20Geneva%20Conventions\)&text=Geneva%20Convention%20relative%20to%20the%20Protection%20of%20Civilian%20Persons%20in%20War%20of%202012%20August%201949.&text=GENEVA%20CONVENTIONS-To%20provide%20for%20the%20ratification%20and%20enforcement,provisions%20of%20the%20Geneva%20Conventions>](https://www.derechos.org/intlaw/doc/vut1.html#:~:text=(An%20Act%20to%20provide%20for,provisions%20of%20the%20Geneva%20Conventions)&text=Geneva%20Convention%20relative%20to%20the%20Protection%20of%20Civilian%20Persons%20in%20War%20of%202012%20August%201949.&text=GENEVA%20CONVENTIONS-To%20provide%20for%20the%20ratification%20and%20enforcement,provisions%20of%20the%20Geneva%20Conventions>).

			security issues. ²⁷ The National Security Strategy is organised into ten ‘pillars’ covering areas of Vanuatu’s economy, governance, and what it perceives as its threat environment in the wider Pacific. It recognises the capabilities and limitations of Vanuatu’s current strategic architecture and lays out plans to develop them at a subnational, national, and regional level. ²⁸
	Enact and implement laws protecting vulnerable groups, particularly in relation to sexual and gender-based violence.	Weak	Vanuatu has a large and enduring problem with sexual and gender-based violence (SGBV). The law criminalises rape (although not specifically spousal rape) but violence and discrimination against women, children and those in the LGBTIQ+ community was widespread and most likely underreported. Police have been traditionally reluctant to becoming involved in domestic violence matters, but there is some improvement through international funding and training to build capacity and develop support through NGOs. ²⁹
	Protect individuals and groups fleeing atrocity crimes and their risk, in accordance with International Refugee Law.	Weak	Vanuatu law does not provide for the granting of asylum and refugee status, and refugees are only granted protection on an ad hoc basis with the assistance of the UNHCR. ³⁰ There is no comprehensive set of procedures, laws or reporting mechanisms present in Vanuatu regarding migration, ³¹ and the country has yet to sign the <i>1951 Refugee Convention</i> and its <i>1967 Protocol</i> . Overall, there is protection gap within Vanuatu for those fleeing atrocity crimes or those already vulnerable, which may potentially increase in the future due to rising instability. To its credit, Vanuatu has identified immigration and border control in its National Security Strategy (see earlier Indicator) as an area of national importance. As such, its capacity may improve in the future.
Domestic Implementation	Conduct a national assessment of risk and resilience.	Very Weak	No assessment has been carried out in Vanuatu.
	Cultivate and protect an active, diverse and robust civil society.	Strong	Vanuatu has traditionally had a strong civic space, and rights of assembly, association, movement, expression and religion are upheld and respected. There are some concerns with the freedom of the press, as while it has been generally respected in the past, some events have warranted warnings from civil liberty groups of its potential erosion. The rejection of a work permit for a journalist covering Chinese influence in Vanuatu in 2019, ³² and the assault on a journalist by a government minister in

²⁷ Vanuatu Attorney-General. ‘Bill for the National Security Act No. of 2019’. (20 November 2019). *E-Parliament Resource*. <http://eparliamentresource.gov.vu/jspui/bitstream/1/1817/1/Bill%20for%20the%20National%20Security%20Act%20No.%20of%202019.pdf>.>

²⁸ See: Government of Vanuatu, 2019. *Vanuatu National Security Strategy*, https://www.gov.vu/images/publications/Vanuatu_National_Security_Strategy.pdf.

²⁹ U.S Department of State, 2021. U.S Department of State, 2021. *2020 Country Reports on Human Rights Practices: Vanuatu*, ‘Section 6. Discrimination Societal Abuses, and Trafficking in Persons: Women, Children’; Freedom House, 2022. *Freedom in the World 2021: Vanuatu*, ‘G. Personal Autonomy and Individual Rights’.

³⁰ U.S Department of State, 2021. U.S Department of State, 2021. *2020 Country Reports on Human Rights Practices: Vanuatu*, ‘Section 2. Respect for Civil Liberties, Including: f. Protection of Refugees’.

³¹ International Organisation for Migration, 2018. *Migration Governance Snapshot: Republic of Vanuatu*, <https://www.migrationdataportal.org/sites/g/files/tmzbdl251/files/2018-11/MGI%20Vanuatu%20final.pdf>.

³² Freedom House, 2022. *Freedom in the World 2021: Vanuatu*, ‘Civil Liberties D. Freedom of Expression and Belief’.

		<p>2011, resulting in a fine,³³ are two examples of friction in Vanuatu’s media landscape.</p>
<p>Ensure a legitimate, effective and civilian controlled security sector.</p>	<p>Very Strong</p>	<p>Vanuatu is served by the Vanuatu Police Force for domestic security and the Vanuatu Mobile Force, a paramilitary unit responsible for external security and some issues of domestic security.</p> <p>While there have been some reports of abuses that civilian authorities have not had the capability to address,³⁴ the government remains ultimately in control of the security sector.</p>
<p>Ensure the education system reflects the ethnic, national and cultural diversity of society, and sets examples of inclusiveness.</p>	<p>Weak</p>	<p>Children in Vanuatu have the opportunity to enrol in either an English or French speaking school (to reflect demographics), with the system containing two years of preschool, six years of primary, four years of lower secondary and three years of upper secondary education.³⁵ There is no tertiary institution in Vanuatu, meaning those wishing to pursue further education after school must travel abroad.</p> <p>However, education is not compulsory and remains expensive relative to most family’s incomes, and as such Vanuatu has one of the lowest rates of enrolment and literacy in the Pacific.³⁶ While the government recognises the need for a strong education sector with help from international donors, currently capacity is lacking.</p>
<p>Prevent nationals committing atrocity crimes overseas.</p>	<p>Weak</p>	<p>While Vanuatu is a member of the <i>Rome Statute</i>, they are currently lacking in capacity to draft proper legislation to incorporate it into domestic courts. As such, however minor the possibility, Vanuatu nationals may not face proper prosecution for committing atrocity crimes abroad.</p> <p>While not directly related to this Indicator, Vanuatu’s Citizenship by Investment Program can allow foreign nationals to apply for and gain citizenship without having to set foot within the country or to speak one of its languages. Applicants must donate US\$130,000 to the government’s development fund to secure citizenship and a passport.³⁷ While it has proved to generate a large amount of government revenue, there is the potential for the system to be open to abuse³⁸ and see technical Vanuatu citizens commit atrocities without a chance of prosecution in Vanuatu.</p>

³³ Reporters Without Borders, 2011. ‘Risible fine for minister who assaulted newspaper publisher’. *RSF_en*, 12 July. Available at: <https://rsf.org/en/risible-fine-minister-who-assaulted-newspaper-publisher>.

³⁴ Freedom House, 2022. *Freedom in the World 2021: Vanuatu*, ‘F. Rule of Law’; U.S Department of State, 2021. U.S Department of State, 2021. *2020 Country Reports on Human Rights Practices: Vanuatu*, ‘Section 1. Respect for the Integrity of the Person, Including Freedom from: C. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment’.

³⁵ Global Partnership for Education, 2021. *Education in Vanuatu*, <https://www.globalpartnership.org/where-we-work/vanuatu#:~:text=Vanuatu's%20education%20system%20uses%20the,supported%20by%20church%20education%20authorities>.

³⁶ Ratua Foundation, n.d. *The Ratua Foundation is Improving Education for Vanuatu Children*, <https://www.ratua.com/2019/05/02/improving-education-vanuatu-children/>; Study Country, 2022. *Education in Vanuatu*, <https://www.studycountry.com/guide/VU-education.htm>; Education Encyclopedia, n.d. *Vanuatu*, <https://education.stateuniversity.com/pages/1659/Vanuatu.html>.

³⁷ Harvey Law Group, 2022. *Vanuatu: Citizenship – Development Support Program (DSP)*, <https://harveylawcorporation.com/vanuatu-citizenship-citizenship-by-investment/>; La Vida Golden Visas, n.d. *Vanuatu Citizenship by Investment*, <https://www.goldenvisas.com/vanuatu#:~:text=Vanuatu%20has%20the%20only%20Citizenship,family%20of%20four%20plus%20fees>.

³⁸ APR2P, 2020. *Risk Assessment Series Volume 13: Vanuatu*, p. 12.

Bilateral and Multilateral Relations	Participate in international, regional, and national discussions on the further advancement of R2P.	Strong	<p>Vanuatu has been an active participant in many discussions of R2P and broader human rights issues over the years, both internationally and regionally through the Pacific Islands Forum (PIF), the Secretariat of the Pacific Community (SPC)³⁹ and the Melanesian Spearhead Group (MSG),⁴⁰ which has its headquarters in Port Vila.</p> <p>Vanuatu delivered statements at the 2015, 2016, and 2017 UN General Assembly Informal Interactive Dialogues on R2P, commonly bringing attention to preventive actions towards atrocity crimes.⁴¹ In 2015, the delegation made note of the role women, faith-based organisations and traditional leaders can play in preventing genocides in different countries.⁴² At all of the Dialogues, Vanuatu was supportive of the R2P principle and its three-pillar structure.</p>
	Leverage existing mechanisms and institutions (including regional and sub-regional organisations) to encourage States to fulfil their responsibility to protect.	Very Strong	<p>Vanuatu, when it has voted, has supported all resolutions at the UN General Assembly that have referenced R2P.</p> <p>UN General Assembly Resolutions:⁴³</p> <ul style="list-style-type: none"> • 2013: The situation in the Syrian Arab Republic A/RES/67/262: yes. • 2014: Situation of human rights in the Democratic People’s Republic of Korea A/RES/69/188: yes. • 2014: Situation of human rights in the Syrian Arab Republic A/RES/69/189: yes. • 2015: Situation of human rights in the Democratic People’s Republic of Korea A/RES/70/172: did not vote. • 2015: Situation of human rights in the Syrian Arab Republic A/RES/70/234: did not vote. • 2016: The situation in the Syrian Arab Republic A/RES/71/130: yes. • 2016: Situation of human rights in the Syrian Arab Republic A/RES/71/203: yes. • 2017: Situation of human rights in the Democratic People’s Republic of Korea A/RES/72/188: adopted without vote. • 2017: Situation of human rights in the Syrian Arab Republic A/RES/72/191: yes.

³⁹ For example: Pacific Community, 2019. *Port Vila Declaration signed by Pacific MPs at conclusion of regional dialogue*, <https://www.spc.int/updates/news/2019/11/port-vila-declaration-signed-by-pacific-mps-at-conclusion-of-regional-dialogue>.

⁴⁰ The MSG, and Vanuatu in particular, has long been a proponent of the independence of West Papua from Indonesia, and has called for investigation by the UN into human rights abuses in the province. Wyeth, Grant, 2018. ‘At Melanesian Spearhead Group, the Question of West Papuan Membership Lingers’. *The Diplomat*, 16 February. Available at: <https://thediplomat.com/2018/02/at-melanesian-spearhead-group-the-question-of-west-papuan-membership-lingers/>; Radio New Zealand, 2021. ‘West Papua independence movement re-submits for full MSG membership’. *Radio New Zealand*, 7 December. Available at: <https://www.rnz.co.nz/international/pacific-news/457414/west-papua-independence-movement-re-submits-for-full-msg-membership>.

⁴¹ GCR2P, 2017. *Statement by Vanuatu at the 2017 UN General Assembly informal interactive dialogue on the Responsibility to Protect*, para. 4, <https://www.globalr2p.org/resources/statement-by-vanuatu-at-the-2017-un-general-assembly-informal-interactive-dialogue-on-the-responsibility-to-protect/>.

⁴² GCR2P, 2015. *Statement by Vanuatu at the 2015 UN General Assembly informal interactive dialogue on the Responsibility to Protect*, p. 2, <https://www.globalr2p.org/resources/statement-by-vanuatu-at-the-2015-un-general-assembly-informal-interactive-dialogue-on-the-responsibility-to-protect/>.

⁴³ GCR2P, 2021. *UN General Assembly Resolutions Referencing R2P*, <https://www.globalr2p.org/resources/un-general-assembly-resolutions-referencing-r2p-2/>. (Voting records for each resolution were accessed using the UN’s Digital Library: General Assembly of the United Nations, n.d. *Voting Records*, <https://www.un.org/en/ga/documents/voting.asp>.)

- 2018: Extrajudicial, summary or arbitrary executions A/RES/73/172: **yes**.
- 2018: Situation of human rights in the Democratic People’s Republic of Korea A/RES/73/180: **adopted without vote**.
- 2018: Situation of human rights in the Syrian Arab Republic A/RES/73/182: **yes**.
- 2019: Situation of human rights in the Democratic People’s Republic of Korea A/RES/74/166: **adopted without vote**.
- 2019: Situation of human rights in the Syrian Arab Republic A/RES/74/169: **yes**.
- 2020: Situation of human rights in the Democratic People’s Republic of Korea A/RES/75/190: **adopted without vote**.
- 2020: Extrajudicial, summary or arbitrary executions A/RES/75/189: **yes**.
- 2020: Situation of human rights in the Syrian Arab Republic A/RES/75/193: **yes**.
- 2021: Promoting a culture of peace and tolerance to safeguard religious sites A/RES/75/258: **adopted without vote**.
- 2021: The responsibility to protect and the prevention of genocide, war crimes, ethnic cleansing and crimes against humanity A/RES/75/277: **did not vote**.

Encourage and assist States to fulfil their R2P in situations of emerging and ongoing crisis, such as good offices and preventive diplomacy.	Strong	<p>Vanuatu, unilaterally and through the PIF, has also called on Indonesia and the UNOHCHR to investigate human rights abuses in West Papua.⁴⁴</p> <p>Vanuatu has long been a proponent for anti-colonial movements and the self-determination of populations in colonial territories. As already mentioned, support for West Papuan independence and respect for human rights in the province has been a pillar of Vanuatu’s foreign policy for decades.⁴⁵</p> <p>The country was also a strong supporter of the Regional Assistance Mission to the Solomon Islands (RAMSI), where they contributed members to the Participating Police Force, gaining, along with other Pacific nations, key operational experience.⁴⁶</p>
Strengthen regional and international networks for atrocity crime prevention.	Fair	Vanuatu has been an active member in the regional forums of which it is a part, calling in particular for action on climate change and human rights protections in West Papua. In the wake of RAMSI’s end in 2017, Vanuatu’s deputy prime minister suggested the PIF establish a permanent force, based on the RAMSI model, to deploy in crisis situations throughout the Pacific. ⁴⁷
Strengthen the role and capacity of regional organisations.	Weak	While Vanuatu participates in regional fora, a lack of capacity and a continued reliance on foreign aid

⁴⁴ Mcdonald, Joshua, 2020. ‘Pacific Islands Forum Presses for Human Rights Mission to West Papua’. *The Diplomat*, 9 October. Available at: <https://thediplomat.com/2020/10/pacific-islands-forum-presses-for-human-rights-mission-to-west-papua/>.

⁴⁵ United Nations, 2013. ‘Vanuatu urges inclusive development, pledges to continue speaking out against colonialism’. *UN News*, 28 September. Available at: <https://news.un.org/en/story/2013/09/451642-vanuatu-urges-inclusive-development-pledges-continue-speaking-out-against>.

⁴⁶ Dinnen, Sinclair, 2018. ‘The RAMSI legacy of Pacific policing’. *The Interpreter*, 21 March. Available at: <https://www.lowyinstitute.org/the-interpreter/ramsi-legacy-pacific-policing>.

⁴⁷ Hill, Bruce, 2017. ‘Vanuatu deputy PM calls for permanent RAMSI style force to aid Pacific nations’. *ABC News*, 17 July. Available at: <https://www.abc.net.au/radio-australia/programs/pacificbeat/vanuatu-deputy-pm-calls-for-permanent-ramsi-style/8716528>.

			has meant there is little evidence they have actively strengthened these organisations.
	Support the development and work of regional human rights and other preventive capacities.	Fair	Vanuatu has offered continuous support for regional human rights, particularly when they are related to anticolonialism and climate change. Through the MSG, Vanuatu sought to sign a MOU with APR2P on priorities within the region and "...the prevention of Climate Change-related atrocities that transcends national borders". ⁴⁸
	Support atrocity prevention through development and assistance partnerships.	Weak	Vanuatu receives large amounts of development aid and support from multiple donors, ⁴⁹ which focuses on multiple areas including economic development, good governance, health infrastructure and increased disaster resilience. They have also received support to develop their climate change policy. ⁵⁰ While many of these efforts likely feed into the structural prevention of atrocity prevention, explicit mention of prevention, atrocity crimes, or R2P could not be found.
United Nations, prevention, Peacekeeping, and assistance	Support the early warning and capacity building efforts of the UN Office on Genocide Prevention and R2P.	Fair	Vanuatu, in its statements at the Informal Interactive Dialogues of which it has been a part, has frequently supported R2P referenced preventive actions regarding atrocity crimes. ⁵¹ While possessing a strong rhetoric, the country was absent when voting occurred on funding for the UN Office of the Special Adviser on the Prevention of Genocide. ⁵²
	Support the strengthening of the UN's capacity for atrocity prevention, including through the UN Human Rights system.	Fair	Vanuatu has supported the Human Rights Up Front initiative of the UN and the efforts of the wider UN to prevent atrocities in its statements regarding R2P. Yet, perhaps due to a lack of capacity, it has taken no steps to strengthen these capacities, except through the rubric of climate change. Vanuatu has launched a bid for the UN General Assembly to vote on making the International Court of Justice consider the human rights impact of climate change, effectively making climate change a human rights issue. ⁵³
	Support preventive actions on atrocity crimes.	Strong	Vanuatu, given its voting record and comments made in international and regional fora, maintains strong support for preventive actions on atrocity crimes and the further strengthening of human rights. It has thrown its support behind all three pillars of R2P, and the country, along with Fiji and Timor-Leste, provide ample promise for the furtherance of R2P within the Pacific.
	Contribute to United Nations peacekeeping operations	Strong	For a nation without an official standing military force, Vanuatu's contribution to UN peacekeeping

⁴⁸ MSG Secretariat, 2021. *MSG Secretariat & APR2P Pave Way Forward For Security In The Region*, <https://x.facebook.com/MelanesianSpearheadGroupSecretariat/photos/a.796185150569718/1762044203983803/?type=3&source=54>.

⁴⁹ For example: Australian Government Department of Foreign Affairs, 2022. *Australia's development partnership with Vanuatu*, <https://www.dfat.gov.au/geo/vanuatu/development-assistance/development-assistance-in-vanuatu#:~:text=Australia%20will%20remain%20Vanuatu's%20primary,hit%20Vanuatu%20in%20April%202020>; European Union External Action Service, 2022. *EU-Vanuatu hold 7th Enhanced Political Dialogue*, https://www.eeas.europa.eu/eeas/eu-vanuatu-hold-7th-enhanced-political-dialogue_en.

⁵⁰ Government of the Republic of Vanuatu, 2016. *Vanuatu Climate Change and Disaster Risk Reduction Policy 2016-2030*, https://policy.asiapacificenergy.org/sites/default/files/vanuatu_cc_drr_policy_minus_att4v4.pdf.

⁵¹ GCR2P, 2017. *Statement by Vanuatu at the 2017 UN General Assembly informal interactive dialogue on the Responsibility to Protect*, para. 4.

⁵² United Nations, General Assembly, Harmonizing Staff Working Conditions, Strengthening UN Information Technology among Issues, as Budget Committee Approves 18 Texts, Concludes Session, 23 December 2010, GA/AB/3980.

⁵³ Fogarty, David, 2022. 'Civil society groups back Vanuatu's quest to link human rights and climate change'. *The Straits Times*, 6 May. Available at: <https://www.straitstimes.com/world/civil-society-groups-back-vanuatus-quest-to-link-human-rights-and-climate-change>.

	(especially those with a protection of civilians mandate).	<p>missions is quite strong. They have deployed police officers to 10 missions, from Timor-Leste in 2000 to Ivory Coast in 2017. Some of these missions (UNMISS 2014, UNAMID 2009-2010, UNOCI 2005-2007, 2013-2017, and MONUC 2005-2007) have had a protection of civilians mandate.⁵⁴ Vanuatuan personnel also served as part of RAMSI and the short-lived South Pacific Peacekeeping Force in 1994 during the Bougainville Civil War.⁵⁵</p> <p>Vanuatu currently (May 2022) has no active deployments, due to unresolved investigations into misconduct of peacekeepers on previous missions.⁵⁶ However, desire for future deployments on peacekeeping missions within the structures of the Police Force and Mobile Force remains generally strong.</p>
	Develop the capacities needed to support civilian protection, including through the training of military and civilian personnel for peacekeeping.	<p>Fair</p> <p>Vanuatu has strong and long-standing ties with Australia’s security sector to provide training and materiel to Vanuatu’s personnel. The Australian Defence Force is currently rebuilding and renovating Cook and Tiroas Barracks,⁵⁷ and ni-Vanuatians can train through the e-learning portal of the Australian Defence Force Peace Operations Training Centre.⁵⁸</p> <p>Recognition that operational experience on peacekeeping deployments is beneficial for skills development and career progression is common in Vanuatu. As such, support for more development and training for peacekeeping, along with participation in actual deployments, is generally high.⁵⁹ However, no specific mention of atrocity prevention could be found.</p>
	Support the Kigali Principles.	<p>Weak</p> <p>Vanuatu is not a signatory of the Kigali Principles on the Protection of Civilians.⁶⁰ Yet, it noted in its statement at the 2016 Informal Interactive Dialogue on R2P that it endorses the Principles, calling “...for their swift implementation so that peacekeepers can be better prepared to play a role in also preventing mass atrocity crimes, and we</p>

⁵⁴ Sharland, Lisa, Genevieve Feely, 2020. *Mapping Pacific contributions to UN peacekeeping*, ‘Vanuatu’, <https://www.aspi.org.au/report/mapping-pacific-peacekeeping>.

⁵⁵ Parliament of Australia, 1997. *The Situation in Bougainville: Implications for Papua New Guinea, Australia and the Region*, ‘Background – 1988-94’, https://www.aph.gov.au/sitecore/content/Home/About_Parliament/Parliamentary_Departments/Parliamentary_Library/Publication_s_Archive/CIB/CIB9697/97cib9#BACKGROUND.

⁵⁶ Sharland, Lisa, Genevieve Feely, 2020. *Mapping Pacific contributions to UN peacekeeping*, ‘Vanuatu’; Vanuatu Daily Post, 2018. ‘Vanuatu missing out on UN Peacekeeping missions’. *Vanuatu Daily Post Digital*, 11 June. Available at: https://www.dailypost.vu/news/vanuatu-missing-out-on-un-peacekeeping-missions/article_86f726ab-3b91-5f0b-b962-1471c86aaa83.html.

⁵⁷ Australian Government Department of Defence, n.d. *Cook & Tiroas Barracks Redevelopment (Vanuatu)*, [https://www.dailypost.vu/news/sope-wants-un-peacekeeping-training-in-vanuatu/article_8b1d84da-adf3-11eb-9a9c-dfb9a332286a.html](https://www.defence.gov.au/programs-initiatives/pacific-engagement/vanuatu-infrastructure#:~:text=Vanuatu%20Mobile%20Force%20engineers%20are%20embedded%20in%20Icon%20Reeves%20operations%20on%20site.&text=Cook%20Barracks%20in%20Port%20Vila,%2C%20chapel%2C%20and%20medical%20centre;Vanuatu Daily Post, 2021. ‘Sope wants UN Peacekeeping Training in Vanuatu’. <i>Vanuatu Daily Post Digital</i>, 6 May. Available at: <a href=).

⁵⁸ Peace Operations Training Institute, 2022. *E-Learning for Peacekeepers in the Asia Pacific (ELPAP)*, <https://www.peaceopstraining.org/programs/ntcelp/asia-pacific/elpap/>.

⁵⁹ Sharland, Lisa, Genevieve Feely, 2020. *Mapping Pacific contributions to UN peacekeeping*, ‘Vanuatu’.

⁶⁰ APR2P, 2018. *The Kigali Principles on the Protection of Civilians*, https://r2pasiapacific.org/files/2942/2018_kigali_principles.pdf.

	Support UN Security Council veto restraint on issues relating to atrocity prevention.	Very Strong	encourage all UN Member States to join us in endorsing the <i>Principles</i> ”. ⁶¹ Vanuatu is a signatory to both to the ACT Code of Conduct and the French/Mexican initiative on the suspension of veto in the case of mass atrocities. ⁶²
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⁶¹ GCR2P, 2016. *Statement by Vanuatu at the 2016 UN General Assembly informal interactive dialogue on the Responsibility to Protect*, <https://www.globalr2p.org/resources/statement-by-vanuatu-at-the-2016-un-general-assembly-informal-interactive-dialogue-on-the-responsibility-to-protect/>.

⁶² GCR2P, 2022. *List of Supporters of the Political Declaration on Suspension of Veto*, <https://www.globalr2p.org/resources/list-of-supporters-of-the-political-declaration-on-suspension-of-veto/>; GCR2P, 2019. *List of Signatories to the ACT Code of Conduct*, <https://www.globalr2p.org/resources/list-of-signatories-to-the-act-code-of-conduct/>.