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Report of the Working Group on the Universal Periodic Review

Marshall Islands

Addendum

Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review*

* The present document was not edited before being sent to the United Nations translation services.

I. Outstanding advanced questions from Troika

United Kingdom

- a) **Please could you inform us as to whether an independent national human rights institution exists in your country and operates in accordance with the Paris principles designed to guide the practice of such institutions?**

There is currently no independent national human rights institution in the RMI nor such an institution specifically established to comprehensively address human rights issue. Look at RMI's response to Recommendation #55.9 for further elaboration.

- b) **We would be interested to know if civil society was involved in the preparation of the national report and how the Government will manage the follow-up to the Universal Periodic Review, and, who will be responsible for oversight of implementation, monitoring and reporting?**

The civil society was indeed involved in the preparation of RMI's national report. Consultations were made with various communities in the urban centers of Majuro Atoll and Kwajalein Atoll, i.e. Ebeye Island, from 15 March to 18 June. Moreover, the Women United Together Marshall Islands and the Youth-to-Youth-in-Health, both of which are NGOs, were members of the Resources Development Committee (RDC) which was established by Cabinet to prepare the report. Also note that the RDC also included the United Nations Joint Presence Office which consists of UNDP, UNFPA and UNICEF. The RMI Government is committed to maintaining this practice during the follow-up process.

Germany

In 2007 CRC recommended that Marshall Islands develop a comprehensive, rights based national plan of action, covering all areas of the Convention. In this exercise, it urged Marshall Islands to allocate sufficient human and economic resources for the implementation of the national plan and to use a participatory approach, involving children and non-governmental organizations (NGOs).Germany would appreciate information on such a national plan of action.

The Ministry of Internal Affairs, the national focal point for the CRC, is finalizing a DRAFT comprehensive, rights based national plan of action covering all aspects of the CRC. It is anticipated that said plan of action will be reviewed shortly by the Resource Development Committee (RDC) before it is presented to the Cabinet for its consideration.

II. Recommendations as published in the report of the Working Group, A/HRC/WG.6/9/L.10

55.1 The (RMI) **accepts** the recommendations.

The RMI is committed to abiding by the principles of the main human rights treaties and in continuing efforts in ratifying or acceding to the said treaties. However, the RMI is in need to technical and financial assistance in properly implementing these treaties. The RMI therefore calls upon the international community and bilateral partners in rendering such assistance in this regard.

55.2 The RMI **accepts** the recommendations.

55.3 The RMI **accepts** the recommendations.

55.4 The RMI **accepts** the recommendations.

55.5 The RMI **accepts** the recommendations.

55.6 The RMI **accepts** the recommendations.

55.7 The RMI **accepts** the recommendations.

55.8 The RMI **accepts** the recommendation.

The RMI Government has agreed to accede to the UNCAC after an informative workshop organized for the Members of the *Nitijela* with the support from the UNDP Pacific Center.

55.9 The RMI **notes** the recommendation.

The RMI recognizes the importance of establishing national human rights institutions. However, at this point in time, it is difficult to favorably consider establishing such institutions due to the resources anticipated for not only establishing said institutions but also maintaining them as well.

55.10 The RMI **notes** the recommendations.

55.11 The RMI **notes** the recommendations.

55.12 The RMI **accepts** the recommendation.

55.13 The RMI **accepts** the recommendation.

55.14 The RMI **accepts** the recommendation.

The RMI continues its national efforts to promote human rights. Since 2000, the Ministry of Internal Affairs, which is responsible for women and children rights, has made efforts to raise awareness on women and children rights in the main urban centers and other populated atolls. However, due to limited resources, these activities have become sporadic recently. The RMI acknowledges the support of UNICEF in providing financial assistance to the promotion of human rights, particularly on children's rights. For women's right in particular, the Women United Together Marshall Islands, an NGO, has made substantial progress in the promotion of rights of women at the national level.

55.15 The RMI **accepts** the recommendations.

The RMI is committed to addressing domestic violence and other issues affecting women. Progressive efforts have been made to raise awareness on domestic violence, and legislative step has been undertaken to prevent and protect women and children from domestic violence. A bill is currently being tabled by the *Nitijela* to prevent and protect domestic violence against women and children, and to punish perpetrators of domestic violence. This bill is the result of concerted efforts of both the Government and NGOs to develop legislative framework to reduce gender-based violence against women and children.

Moreover, the rights of women are progressively being realized at the national level. Modest progress has been made in advancing female education, employment, and other economic characteristics. However, while the female population has made great progress over the past several decades in improving primary and secondary education and towards equal participation in wage labor, female participation in the *Nitijela* remains unchanged at 1 amongst 33 members.

55.16 The RMI **accepts** the recommendations.

55.17 The RMI **accepts** the recommendation.

55.18 The RMI **accepts** the recommendation.

55.19 The RMI **accepts** the recommendation.

55.20 The RMI **accepts** the recommendations.

The RMI is committed to properly implementing children's rights and improving the situation of children at the national level. Decent progress has also been made since the establishment of the first coordinating committee, the National Nutrition and Children's Council (NNCC) as well as the establishment of the Child Rights Office under the Ministry of Internal Affairs. The Resource Development Committee (RDC), which replaces the NNCC, is given a broader mandate to implement and coordinate programs and activities relating to both CRC and CEDAW. A Child Protection Baseline Research Project funded by the UNICEF is about to be completed, which will enable the RMI Government to develop policies and legislative measures with respect to child protection, and provide detail strategies for the implementation of CRC.

55.21 The RMI **accepts** the recommendation.

55.22 The RMI **accepts** the recommendations.

55.23 The RMI **accepts** the recommendation.

55.24 The RMI **accepts** the recommendation.

55.25 The RMI **accepts** the recommendation.

55.26 The RMI **accepts** the recommendations.

The RMI Government currently does not have legislative framework for compliance with most international standards in relation to women, particular the participation of women in the parliament. The RMI Government is concerned that there has been no progress with respect to improving women's participation in the *Nitijela*, i.e. 1 woman out of 33 members. To consider establishing a quota for women in the *Nitijela*, however, would require the appropriate constitutional amendment. On the other hand, the RMI Government is determined to adhere to the principles of democracy and ensure that its citizens freely elect whomever they wish to represent them.

55.27 The RMI **accepts** the recommendation.

55.28 The RMI **accepts** the recommendation.

55.29 The RMI **accepts** the recommendations.

The RMI acknowledges that rights of disable persons are not specifically afforded in our Constitution. However, we have policies and legislation which addresses special education and health for children. The *Education Act 1991* has a statutory framework for the education of individuals with disabilities. The policy statement in the Act calls on the Government to provide equal opportunities for all children to lead fulfilling and productive lives. The Act further states "to the extent practicable,...(disabled) children shall receive necessary supplement services in regular classrooms". The Ministry of Education has promulgated regulations relating to special education, and has published Special Education Procedures and Handbook as guidelines. The special education programs has also received benefit from the United States in providing funding under the Federal grants, and has put in place policies relating to the education of individuals with disabilities in the Marshall Islands in relation to the grant. Currently, more than 800 children and youth with disabilities, ages 3 through 21s have been registered under the special education program.

The Ministry of Health provides programs and services for children with Special Health Care Needs (CSHCN). All babies born in the hospital are screened for abnormalities. Those identified with abnormalities are referred to the CSHCN program

under the Maternal and Child Health Care Program. The program is responsible for annual medical check-up by specialists from the health providers in Honolulu, Hawaii. During the annual check-up, specialists may make recommendations for children with disabilities for off-island medical care. The Government is responsible for the expenses incurred in the referral.

The RMI Government has also taken other steps to address other needs of disabled persons. For instance, in 2008, the *Nitijela* amended the *Traffic Act*, to reserve parking spaces for persons with disabilities. The RMI Government, to some extent, has upgraded facilities to ensure accessibility for persons with disabilities such as installment of ramps and rails. Moreover, the RMI Government has endorsed the first week of December of every year, the Week of the Disabled, in recognition of children with disabilities.

55.30 The RMI **accepts** the recommendation.

The RMI is committed to developing socio-economic strategies and plans. In 2000, the RMI Government established the Economic, Policy, Planning and Statistic Office (EPPSO) to strengthen policy and planning capabilities, including improved collection, analysis, and dissemination of data. So far, EPPSO has improved the policy advice provided to the Government and developed resources, strategies and plans on socio-economic. In 2010, the Government establishes the National Development Plan Work Group to develop the RMI national development plan and strategies. The works are continuing and are anticipated to be finalized sometimes this year. On a related task, the National Census will be conducted this year in April; the last census was held in 1999. The outcome of the census report shall further guide the RMI Government in implementing the socio-economic plans and strategies.

55.31 The RMI **accepts** the recommendation.

55.32 The RMI **accepts** the recommendation.

55.33 The RMI **accepts** the recommendation.

55.34 The RMI **accepts** the recommendation.

55.35 The RMI **accepts** the recommendations.

The RMI supports the efforts to promote and protect the rights of prisoners and ensuring that living standards of and detention facilities for prisoners abide by international standards. The RMI acknowledges the poor living condition of its detention facilities, which has resulted in, amongst others, a number of prison escapes. The RMI Government has already considered improving the situation despite its limited financial resources, such as renovating the current detention facilities. The renovation program, which is now near completion, will provide a total capacity of 65 prisoners, an additional space from the previous setting, and will provide adequate lighting, ventilation and water closets for each cell. There are also special cells provided for female and juvenile prisoners. While these infrastructures are constructed, the Government plans to provide rehabilitation programs for juveniles such as small engine repair, carpentry, handicrafts, and so forth.

55.36 The RMI **accepts** the recommendation.

The RMI Government recognizes that the negative impact of climate change is a human rights issue. Consequently, national measures to build resilience, reduce disaster risk, support renewable energy and energy efficiency, and other adaptation measures are currently being implemented. Within the context of extreme vulnerability to climate change impacts, the RMI Government has developed a National Climate Change Policy Framework as a national blueprint to address national threats to climate changes in partnership with our regional and global partners. Presently, the RMI Government is taking a holistic approach to address climate change issues in the following nine priority areas:

- a) Food and Water Security;
- b) Energy Security and Conservation;
- c) Biodiversity and Ecosystem Management;
- d) Human Resources Development, Education and Awareness;
- e) Health;
- f) Urban Planning and Infrastructure Development;
- g) Disaster Risk Management;
- h) Land and Coastal Management, including Land Tenure;
- i) Transport and Communication.

55.37 The RMI **accepts** the recommendation.

The RMI extended an invitation to the Special Rapporteur of the Human Rights Council on the adverse effects of the movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights to visit and access the situation in the RMI. The RMI's proposed date of early March of this year conflicted with the Rapporteur's schedule, so the RMI is awaiting alternative dates.

55.38 The RMI **accepts** the recommendation.
