



PERMANENT MISSION OF THE REPUBLIC OF THE MARSHALL ISLANDS
TO THE UNITED NATIONS
New York

**H.E. Phillip Muller, Ambassador &
Permanent Representative of the Republic of the Marshall Islands
To the United Nations
Presentation of the Universal Periodic Review outcome
of the Republic of the Marshall Islands
17 March 2011, Geneva**

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Mr. President, Excellencies, Member States and Observer States of the Human Rights Council, Ladies and Gentlemen

Yokwe kom aolep.

I would first like to convey the warm greetings of His Excellency Jurelang Zedkaia, President of the Republic of the Marshall Islands (RMI), and the Marshallese people to this august body. I would also like to thank the Office of the High Commissioner on Human Rights (OHCHR), the Human Rights Council, and the Working Group for assisting the Marshall Islands in the Universal Periodic Review (UPR) process.

The Marshall Islands is pleased to submit its responses to recommendations made through the Universal Periodic Review process which have been included within a formal report. An abbreviated summary follows:

Regarding Ratification or Accession of International Human Rights Treaties (Recommendations #1, 2, 3, 4, 5, 6, 7 and 8):

The Marshall Islands accepts the recommendations related to ratification or accession to the main international human rights treaties and the relevant Optional Protocols and is committed to abiding by the principles therein. However, the Marshall Islands is in serious need of technical and financial assistance in properly implementing the treaties we are already parties to, and to continue our efforts with those treaties to which we are not parties. The RMI therefore reiterates its call upon the international community and bilateral partners in rendering such assistance in this regard.

It should be noted, as a positive example of where assistance produces results, that the Marshall Islands is now currently in the process of acceding to the United Nations Convention against Corruption following a recent workshop and regional UNDP outreach.

Regarding Establishment of National Human Rights Institution (Recommendations #9, 10, 11 and 12):

The Marshall Islands notes the recommendations on establishing a national human rights institution. However, at this time we are not considering such a move due to limited national resources. The strengthening of our child's and women's Offices under the Ministry of Internal Affairs should occur before consideration of such an establishment is considered.



PERMANENT MISSION OF THE REPUBLIC OF THE MARSHALL ISLANDS
TO THE UNITED NATIONS
New York

Regarding the Review and development of laws and policies (Recommendations #22, 23, 24, 25, 26, and 27):

The Marshall Islands accepts the recommendations related to the further review of our laws and policies and to ensure conformity with the international human rights standards. The Resource Development Committee, which took the national UPR lead, will work with the appropriate bodies in ensuring that human rights continue to influence the review and development of our laws. To expedite the process, we invite the international community to render technical and financial assistance to adhere:

- (i) to the international human rights standards.
- (ii) to the provisions of CEDAW and CRC.

Regarding the Promotion of human rights (Recommendations #13 and 14)

The Marshall Islands accepts the recommendations on the promotion of human rights, and brings attention to the positive efforts undertaken with the support of UNICEF and our national NGO partner to address childrens' and woments rights.

Regarding Women's rights and Domestic Violence (Recommendations #15, 16, 17, 18, 19, and 25)

The Marshall Islands is committed to addressing domestic violence and other issues affecting women. Progressive efforts have been made to raise awareness and a domestic violence bill is currently pending in our national parliament. Some progress has been made regarding female education and economic opportunities. While there is a serious imbalance in female participation in our national parliament, and more work is needed to address this, and any related constitutional action should also continue to assure democratic principles of free election.

Regarding Children's rights (Recommendations #20, 21, 22, 33, and 34)

The Marshall Islands accepts the recommendations on children's rights and remains committed to properly implementing children's rights and improving the situation of children at the national level. Positive efforts have been taken regarding the establishment of a Child Rights Office and, with the assistance of UNICEF, baseline research which will enable the development of necessary policies and measures.

Regarding Disabilities (Recommendations # 28 and 29):

The Marshall Islands accepts the recommendations on the rights of disabled persons. Although the rights of disabled persons are not specifically afforded in our Constitution, there are already policies and legislation which addresses special education and health for disabled children, as well as parking and, in some instances, facilities.

Regarding socio-economic strategies and plans (Recommendations 30, 31).

The Marshall Islands accepts the recommendations to continue to implement strategies and plans for the socio-economic development of the country, and also notes how increasing national data capacity has improved policy advice. The Marshall Islands can point to efforts started last year towards an updated national development plan, as well as a new national census underway.



PERMANENT MISSION OF THE REPUBLIC OF THE MARSHALL ISLANDS
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Regarding Prison issues (Recommendation 35):

The Marshall Islands accepts the recommendations in promoting and protecting the rights of prisoners and ensuring that living standards of and detention facilities for prisoners abide by international standards. The Marshall Islands acknowledges the poor living condition of its detention facilities and is already considering improvements including renovations and rehabilitation programs for juveniles, although resources are limited.

Regarding Climate change (Recommendation 36):

The Marshall Islands accepts the recommendations based on the recognition that the negative impact of climate change is a human rights issue, and notes the development of a roadmap and national policy framework to provide a holistic approach and further partnership.

As a low-lying nation whose security and human right to statehood is on the line, we are particularly disappointed that so few nations during the UPR – in fact, only the Maldives – responded to issues we have raised regarding climate change impacts and sea level rise. It should be noted that the World Bank is currently undertaking a study of the human rights implications of climate change in the Marshall Islands. As we have informed the Human Rights Council, immediate action can sharply reduce long-term risks - risks which we can no longer ignore. As is noted in our report, an upcoming academic conference this May, co-sponsored by the RMI and Columbia University, may address critical and unprecedented issues of international law, the outcomes of which could be valuable in informing further discussions within the Human Rights Council.

Regarding Special procedures (37, 38)

The Marshall Islands accepts the recommendations on special procedures and has already 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.

In summary, the acknowledgement of the need to make critical progress in key areas should indicate that the RMI Government strongly affirms international human rights principles. It is only our limited means and capacity which is a barrier to progress in human rights. We aspire to provide our Marshallese communities with the same universal protections and rights which should be afforded to all.

However, to do so – and to achieve many of our affirmed goals under the UPR process – it must be explicitly recorded and noted that our own political will is not enough. We will need the sustained and well-targeted support of the international community, particularly our closest partners. I must emphasize the importance of building capacity through partnership which goes beyond limited and distant workshops, but requires very concerted effort to build bridges with our local communities. Unless we realize such support, we may well find that we have experienced only limited success or persistent gaps in progress at the next UPR.



PERMANENT MISSION OF THE REPUBLIC OF THE MARSHALL ISLANDS
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We can point to positive examples of where international assistance has worked – through cooperation with a local NGO, and through partnerships with both the UN Trust Fund and the Government of Iceland, the RMI has made significant and measureable progress within the past year in advancing women's rights.

Furthermore, while the Marshall Islands Government, through the UPR process, has expressed its interest and intention in achieving greater participation, implementation and ratification of human rights instruments, we can only offer the government's support for a process which is ultimately reliant upon our own democratic and constitutional process, including through our national legislature.

Finally, UPR process has been beneficial for my Government in assessing the human rights situation in the Marshall Islands. The Marshall Islands has welcomed this opportunity to present to the world, namely this forum, with the results of said assessment given that we understand that to address global issues such as human rights requires global attention and support. I would like to reiterate my country's appreciation to the OHCHR, the Regional Rights Resource Team of the Secretariat of the Pacific Community, and our bilateral partners such as Germany and Canada, for assisting in this process. We look forward to the follow-up to the UPR.

Kom emmol tata.