

Universal Periodic Review
(18th session, January – February 2014)
Contribution of UNESCO to Compilation of UN information
(to Part I. A. and to Part III F, J, K, and P)

Vanuatu

I. BACKGROUND AND FRAMEWORK

A. Scope of international obligations: Human rights treaties which fall within the competence of UNESCO and international instruments adopted by UNESCO

I.1. Table:

<i>Title</i>	<i>Date of ratification, accession or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>	<i>Reference to the rights within UNESCO's fields of competence</i>
Convention against Discrimination in Education (1960)	Not state party to this Convention	<i>Reservations to this Convention shall not be permitted</i>		Right to education
Convention on Technical and Vocational Education. (1989)	Not state party to this Convention			Right to education
Convention concerning the Protection of the World Cultural and Natural Heritage (1972)	Ratified 13/06/2002			Right to take part in cultural life
Convention for the Safeguarding of the Intangible Cultural Heritage (2003)	Ratified 22/09/2010			Right to take part in cultural life
Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)	Not state party to this Convention			Right to take part in cultural life

II. Input to Part III. Implementation of international human rights obligations, taking into account applicable international humanitarian law to items F, J, K, and P

Right to education

Normative Framework:

2. Constitutional framework: The Constitution of Vanuatu of 2006¹ includes human rights guarantees, but not the right to education.

3. However, **Article 3** regarding national and official languages provides that: “(1) The national language of the Republic of Vanuatu is Bislama. The official languages are Bislama, English and French. The principal languages of education are English and French. (2) The Republic of Vanuatu shall protect the different local languages which are part of the national heritage, and may declare one of them as a national language.”

4. Moreover, **Article 7 (h)** regarding Fundamental duties stipulates that a parent has “to support, assist and educate all his children, legitimate and illegitimate, and in particular to give them a true understanding of their fundamental rights and duties and of the national objectives and of the culture and customs of the people of Vanuatu.”

5. Legislative framework: Compulsory education, school attendance and non-discrimination and gender equality: The **Education Act No. 21 of 2001**² sets out the rules on primary and secondary education. “The purpose of this Act is to provide a clear directive for the development and maintenance of an effective and efficient primary and secondary education system for the benefit of Vanuatu and its people” (Article 1). Article 7 provides that parents have to ensure education for their children from 6 to 14 years old. Article 8 prohibits discrimination against children and stipulates that “A child is not to be refused admission to any school on account of his or her gender, religion, nationality, race, language or disability.” Concerning religion, Article 9 provides that “If the parents of a student request that he or she be excused from attending religious instruction at a school, the student is to be excused in accordance with the request.” Article 35 deals with fees, and Article 49 with scholarship.

6. Language: The **Vanuatu National Language Council Act No. 32/2005**³ provides for an expert advisory panel on language issues in Vanuatu, and it promotes and safeguards linguistic diversity in Vanuatu for related purposes. It establishes the Vanuatu National Language Council which has the function, inter alia, “to advise and assist the Ministry responsible for education to implement the use of vernacular languages in education” (Article 11).

7. Teachers: The **Vanuatu Institute of Teacher Education Act No. 25/20014**⁵.

8. Quality: The **Vanuatu Institute of Technology Act No. 24/20016**⁷.

¹ http://www.paclii.org/vu/legis/consol_act/cotrov406/

² http://www.paclii.org/vu/legis/num_act/ea2001104/

³ http://www.paclii.org/vu/legis/num_act/vnlca2005322/

⁴ http://www.ifev.edu.vu/council/vite_act.html

⁵ http://www.ifev.edu.vu/council/vite_act.html

⁶ http://www.paclii.org/vu/legis/num_act/viota2001375/

Policy measures:

9. Major policy measures: In June 2006, the Government of Vanuatu set out a **Priorities and Action Agenda 2006 – 2015**, called “An Educated, Healthy and Wealthy Vanuatu”. According to this Agenda “the major goal in the [education] sector is to provide universal primary education completion and improved access to a quality education and training system that better contributes to economic and social development. The main policy objectives are to:

- i. Improve access to education and ensure gender and rural/urban balance;
- ii. Raise the quality and relevance of education;
- iii. Improve planning, fiscal and financial management in the sector;
- iv. Develop a distinctively ni-Vanuatu education system.”⁸

10. Early Childhood Care Education: Early Childhood Education (ECE) and Pre-school Education has been developed mainly via NGO involvement, but as part of the formal education sector the Ministry of Education is giving increased attention to developing a comprehensive framework that starts with two years of pre-school education that should use vernacular languages as the medium of instruction.⁹ The **Vanuatu Preschool Association** was founded in 1983 and has developed a strong network of provincial coordinators and key teachers at provincial level. The Association has developed a *model preschool kindergarten* with a standard curriculum and a training package.¹⁰ It monitors 450 pre-schools and their programmes in Vanuatu.¹¹ The Vanuatu Pre-school Association, UNICEF, Save the Children Fund – Australia, and various NGOs have played vital role in developing and monitoring this programme. The pre-schools are set up by parents and are independent, and in urban areas some are established in primary school premises.

11. Primary Education: According to Law No. 21 of 2001, Primary education comprises years 1 to 6. Until 2003, students sat a national examination to determine who will continue in the junior secondary schools (which could only take ca. 40 % of the primary cohort due to the insufficient number of such schools). With the extension of universal basic education to 8 years the students will take this exam in years 8, starting from 2004.¹²

⁷ http://www.pacii.org/vu/legis/num_act/viota2001375/

⁸ Priorities and Action Agenda 2006 – 2015, “An Educated, Healthy and Wealthy Vanuatu”, pp. 38-39

http://www.usaid.gov/publications/pdf/vanuatu_agenda.pdf

⁹ EFA National Plan of Action 2001 – 2015, Republic of Vanuatu, 2004 Edition, p. 12,

<http://planipolis.iiep.unesco.org/upload/Vanuatu/Vanuatu%20EFA-NAP%202001-2015.pdf>

¹⁰ Vanuatu Associate of Women Graduates Contribution to the Pacific Workshop on the Girl Child: International Federation of University Women Conference, August 2001, Ottawa, Canada,

<http://www.austdvclearinghouse.unsw.edu.au/Conference%20papers/TIWC/RandellShirleyVanuatuGirlChild.pdf>

¹¹ EFA National Plan of Action 2001 – 2015, Republic of Vanuatu, 2004 Edition, op. cit., p. 22.

¹² EFA National Plan of Action 2001 – 2015, Republic of Vanuatu, 2004 Edition, op. cit., p. 12.

12. Secondary Education: According to Law No. 21 of 2001, Secondary education comprises years 7 to 14 and can be divided into the following categories: community secondary comprising years 7 to 8; junior secondary comprising years 8 to 10; senior secondary comprising years 11 to 14. Junior secondary education will simultaneously be transformed into a 2-year cycle for years 9-10. The second national exam at year 10 determines access to the limited number of senior secondary schools.¹³
13. Higher Education: It is very rare to go to higher education in Vanuatu. The University of South Pacific, (Fidji Islands) has been decentralized to Luganville. Students can take the *Baccalauréat* exam (French certificate) or the *General Certificate of Education* (GCE) (British certificate). After taking the exam, students from Tuvalu usually study abroad in the Region or in Europe.¹⁴
14. Non-formal Education: This sector is mainly driven by non-state actors (or NGOs), whereby training is offered to those who missed out on formal education. Community and church based education programmes are also major providers in the non-formal sector. A non-formal education (NFE) taskforce has been set up to coordinate this sector.¹⁵
15. Inclusive Education. Students from remote areas: It may be possible for dropouts from the formal system to find places in the rural training centres, the University of the South Pacific (USP) extension courses, and other vocational schools or through short correspondence courses. The **Vanuatu Rural Development and Training Community Association (VRDTCA)** is the premier organisation that caters for the rural non-formal education sector.¹⁶
16. Gender Equality: Eliminating gender disparities in education is an important goal of the Ministry of Education. The **Education Master Plan 2000-2010**¹⁷, which sets forth the broad strategy for the development of the Vanuatu education system over the next ten to fifteen years, the **Corporate Plan** and **Education for All Action Plan** have identified and prioritised gender equity in education. An important report by J. Strachan (2002), *A Gender Analysis of the Education Sector in Vanuatu*, also contains many recommendations that should be taken on board as EFA goals and objectives.¹⁸
17. Students with disabilities: Though the government employed a permanent officer in charge of implementing the actions proposed in the **Education Master Plan** in favour with persons with disabilities, programmes and other activities directly addressed to the persons with disabilities still remain to be developed.¹⁹
18. Technical Vocational Education and Training (TVET):²⁰ An Asian Development Bank sponsored project (2003) has commissioned a **Master Plan for non-formal TVET**, but with possible input from the formal TVET sector, especially VIT. The Vanuatu Institute of

¹³ EFA National Plan of Action 2001 – 2015, Republic of Vanuatu, 2004 Edition, op. cit., p. 12.

¹⁴ International Bureau of Education, Profile of the Education System in Vanuatu, <http://www.ibe.unesco.org/fr/dans-le-monde/asie-et-pacifique/vanuatu/profile-of-education.html>

¹⁵ EFA National Plan of Action 2001 – 2015, Republic of Vanuatu, 2004 Edition, op. cit., p. 13.

¹⁶ EFA National Plan of Action 2001 – 2015, Republic of Vanuatu, 2004 Edition, op. cit., p. 13.

¹⁷ <http://www.paddle.usp.ac.fj/cgi-bin/paddle?e=d-0paddle--00-1-0--0-10-TX--4-----0-111--1-en-50---20-about---00031-000-1-OutfZz-8-00&a=file&d=van012>

¹⁸ EFA National Plan of Action 2001 – 2015, Republic of Vanuatu, 2004 Edition, op. cit., p. 79.

¹⁹ EFA National Plan of Action 2001 – 2015, Republic of Vanuatu, 2004 Edition, op. cit., p. 33

²⁰ EFA National Plan of Action 2001 – 2015, Republic of Vanuatu, 2004 Edition, op. cit., pp. 43-44.

Technology (VIT), Vanuatu Institute of Teacher Education (VITE), Vanuatu Maritime College, Vanuatu College of Nursing, Vanuatu Police College and the National Institute of Technology (INTV) represent the formal TVET.

19. The **Rural Training Centres** and their Association, VRDTCA are important non-formal TVET providers. VRDTCA is an NGO that plans and develops strategies and coordination for training.

20. The Department of Youth Development and Training also provides co-ordination of youth development and training through the **National Youth Council**.

21. The **Chamber of Commerce** is the primary provider of private TVET. In addition to general education, it provides the study of technologies and related science, the acquisition of practical skills, attitudes, understanding and knowledge relating to occupations in various sectors of the economy and social life. A growing private IT sector also provides training courses, notably (in 2003) the Edwards Computer Foundation in Port-Vila.

22. Languages in Education: Vanuatu is unique in having 80 – 100 different vernacular languages. French and English are used as languages for formal media of instruction, while Bislama (the lingua franca) is widely used in all other domains.²¹ The Republic was formally known as the New Hebrides, and became independent from England and France in 1980 after 70 years of colonisation. Even after many years of independence, there is yet a lack of consensus to fully amalgamate the two systems due to long standing political divisions between the Anglophones and Francophones. There was an attempt in the 1990s to develop a unified curriculum but this was left to the administrators of each system to implement, thus continuing the dual education system.²² The use of the local vernacular is encouraged, and shall be used in Pre-schools and, increasingly, in Basic Education, where the use of vernacular is encouraged in all subjects except mathematics, physics, chemistry, English and French. In selected schools the Minister may define Bislama as a vernacular and it may also be used in Secondary schools with the authorisation of the Ministry of Education.²³ In 2005, the **Vanuatu National Language Council Act No. 32/2005**²⁴ was passed to set up the National Council of Languages in Vanuatu in order to promote and preserve linguistic diversity.²⁵

23. Quality of Education: Quality Assurance in Education requires a clear commitment to the implementation of professional quality assurance policies and manuals. A rigorous enforcement of minimum levels of quality will lead to standards that can eventually be measured against international benchmarks. In 2003, the Ministry of Education set up a working group charged with writing a **Quality Assurance Manual for Primary and Secondary Schools**. A European Union Vanuatu Educational Development (EUVED) sponsored review of teacher salaries includes the writing of a **Teacher Service Manual** (draft July 2003 by Dr Shirley Randall) which also addresses aspects of quality assurance.²⁶

²¹ EFA National Plan of Action 2001 – 2015, Republic of Vanuatu, 2004 Edition, op. cit., p. 10.

²² http://wikieducator.org/images/f/f3/PID_769.pdf

²³ EFA National Plan of Action 2001 – 2015, Republic of Vanuatu, 2004 Edition, op. cit., p. 32.

²⁴ http://www.paclii.org/vu/legis/num_act/vnlca2005322/

²⁵ International Bureau of Education, Profile of the Education System in Vanuatu, op. cit.

²⁶ EFA National Plan of Action 2001 – 2015, Republic of Vanuatu, 2004 Edition, op. cit., p. 65.

24. Cooperation: Vanuatu is not party to the 1960 UNESCO Convention against Discrimination in Education. It did not report on the implementation of the Recommendation against Discrimination in Education within the framework of the:

- i. Sixth Consultation of Member States (covering the period 1994-1999)
- ii. Seventh Consultation of Member States (covering the period 2000-2005)
- iii. Eight Consultation of Member States (covering the period 2006-2011)

25. Vanuatu did not report within the framework of the Fourth Consultation of Member States on the measures taken for the implementation of the 1974 UNESCO Recommendation concerning Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms (covering the period 2005-2008). It has not yet reported within the framework of the Fifth Consultation of Member States on the measures taken for the implementation of the 1974 UNESCO Recommendation (2013).

26. Vanuatu did not report within the framework of both consultations (1993 and 2011) on the measures taken for the implementation of the 1976 Recommendation on the Development of Adult Education.

27. Vanuatu is not party to the 1989 UNESCO Convention on Technical and Vocational Education.

Freedom of opinion and expression

28. Constitutional and Legislative Framework: Freedom of expression is guaranteed in Chapter 2, Part I, Article 5 of the Constitution of Vanuatu.

29. There is yet to be a freedom of information law in Vanuatu.

30. Defamation remains criminalized under Article 120 of the Penal Code and those guilty of defamation face a penalty of imprisonment for three years.

31. Media Self-Regulation: Media self-regulation mechanisms do not exist in Vanuatu.

32. Safety of Journalists: UNESCO recorded no killings of journalists or media workers in Vanuatu between 2008 and 2012.

Right to development and environmental issues

33. Vanuatu is particularly interested in enhancing the role of indigenous knowledge in the country's environmental management. UNESCO is helping the country to redesign its science curricula to incorporate key elements of the vast body of indigenous knowledge that continues to thrive in the archipelago, thus presenting indigenous and scientific knowledge systems side-by-side.²⁷

²⁷ http://portal.unesco.org/science/en/ev.php-URL_ID=5790&URL_DO=DO_TOPIC&URL_SECTION=201.html.

Cultural rights²⁸

34. Normative Framework - constitutional and legislative frameworks: The Vanuatu Constitution recognizes fundamental human rights, including freedom of expressions. The Preservation of Sites and Artefacts Act (Cap 39) adopted in 2005, and amended in 2008 (Act No. 21, 2008), grants power to the Minister of Culture to classify, after consultation with the National Culture Council, sites of historical, archaeological, ethnological and artistic interests in Vanuatu.
35. Institutional framework: The National Culture Council acts as an advisory body to the Minister of Culture. The Vanuatu Culture Centre (VCC) is a body established by the Vanuatu Government to support, encourage and make provisions for the preservation, protection and development of various aspects of the cultural heritage of Vanuatu. VCC undertakes community-based inventorying of tangible and intangible cultural heritage and maintains a registry of national heritage.
36. Policy measures: A national cultural policy that covers the culture sector in comprehensive manner is under preparation by the VCC. For the 1972 Convention, the VCC provides a World Heritage focal point (WHFP) who liaises with the World Heritage and Tourism Committee (WHTC) at Chief Roi Mata's Domain, a UNESCO World Heritage site. For the 2003 Convention for the Safeguarding of Intangible Cultural Heritage, the VCC provides assistance in the safeguarding of Vanuatu sand drawing listed on the ICH Representative List through festivals and educational activities.
37. Work with civil society: Traditional chiefs are important stakeholders in heritage safeguarding. The National Council of Chiefs, comprising custom chiefs elected by their peers, is competent in all matters relating to custom and tradition, and may make recommendations for the preservation and promotion of indigenous Vanuatu culture and languages. There are also a number of NGOs and faith-based organizations that are active in the area of culture under the coordination of the Vanuatu Association of NGOs (VANGO).

III. RECOMMENDATIONS

Right to education

38. Vanuatu should be encouraged to ratify the 1960 UNESCO Convention against Discrimination in Education.
39. Vanuatu should be encouraged to submit state reports for the periodic consultations of UNESCO's education related standard-setting instruments, especially for the Convention against Discrimination in Education.
40. Vanuatu should be encouraged to enshrine the Right to Education in the Constitution.

²⁸ The Constitution of Vanuatu (<http://www.parliament.gov.vu/constitution.html>).

41. Vanuatu could be encouraged to take legal measures to make education compulsory and free of charge for all.

42. Vanuatu could be encouraged to take measures to improve access to education at all levels of the system, increasing the enrolment rate of girls, particularly at the secondary level, introducing local languages as additional tools of instruction, and improving the overall quality of education.

Freedom of opinion and expression

43. Vanuatu is encouraged to introduce a freedom of information law in accordance with international standards.

44. Vanuatu is encouraged to decriminalize defamation and subsequently incorporate it into the civil code in accordance with international standards.

45. Vanuatu must ensure that journalists and media workers are able to practice in a free and safe environment as part of their fundamental human rights and to investigate all attacks on journalists and media workers.

46. UNESCO recommends developing the media self-regulatory mechanism in Vanuatu.

Right to development and environmental issues

47. With regard to contribution of science and technology to development, Vanuatu is encouraged to report to UNESCO within the framework of the ongoing consultations with Member States, on the monitoring of the implementation and a possible revision of the 1974 Recommendation on the Status of Scientific Researchers. In particular on the measures undertaken in Vanuatu to implement such principles of the Recommendation as the obligation of state authorities to ensure that scientific researchers have the responsibility and the right to work in a spirit of intellectual freedom; to participate in the determination of the aims, content and methods of research, which should be compatible with respect for universal human rights and fundamental freedoms, as well as ecological and social responsibility; to creativity, occupational mobility, international cooperation for furtherance of international peace, cooperation and understanding, etc.

Cultural rights

48. Vanuatu is encouraged to finalize its national cultural policy.

49. Vanuatu is encouraged to strengthen capacity in the implementation of the 1972 World Heritage Convention and 2003 Convention for the Safeguarding of the Intangible Cultural Heritage.

50. Vanuatu is encouraged to organize a national consultation on the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions in cooperation with UNESCO.