

Responses to Recommendations

TONGA

Review in the Working Group: 14 May 2008
 Adoption in the Plenary: 13 June 2008

Tonga's responses to recommendations:

In the Report of the Working Group:	In the Addendum:	During the plenary:	Recommendations pending responses:	Summary:
31 REC accepted; 11 rejected	No addendum	No additional information provided	None	Accepted: 31 Rejected: 11 No clear position: 0 Pending: 0

List of recommendations contained in Section II of the Report of the Working Group A/HRC/8/48:

“63. The recommendations formulated during the interactive dialogue have been examined by Tonga and the recommendations listed below enjoy the support of Tonga:

- 1. To continue the democratization process on which it has embarked so courageously (Holy See);
- 2. To continue with determination and speed up the reform process it has begun (Switzerland);
- 3. To favourably consider ratifying the core international human rights treaties within a reasonable period of time and participating more fully with international human rights mechanisms, especially special procedures of the Human Rights Council (Mexico);
- 4. To consider the implementation of recommendations by special procedures so that there are institutional safeguards against harsh treatment by police and security forces (Canada);
- 5. To ratify ICCPR and ICESCR (Brazil, Czech Republic, Italy, Switzerland, Turkey, Netherlands); CEDAW (Brazil, Czech Republic, New Zealand, Turkey, United Kingdom, Switzerland), the Optional Protocol to CEDAW (Brazil); the Optional Protocol to CRC on the sale of children, child prostitution and child pornography (Brazil); and CAT (Switzerland, Czech Republic, Canada, Turkey);
- 6. To consider signing and ratifying CEDAW and consider especially article 15 and 16 thereof which relate to the equal right of women to administer property and the equal rights of both spouses in respect of the ownership, acquisition, management, enjoyment and disposition of property (Israel);

- 7. To continue to proceed with the work of reviewing and making necessary adjustments to relevant domestic laws and regulations for the prompt ratification of CEDAW (Japan);
- 8. To submit regularly its reports to the treaty bodies of the conventions it is party to, like the Committee on the Rights of the Child and the Committee on the Elimination of Racial Discrimination (Czech Republic);
- 9. To enact laws to protect women in employment free from any form of discrimination (Algeria);
- 10. To continue to promote its ambitious goals in education and improve the ratio of women in leading positions in the country (Algeria);
- 11. To pursue its efforts in order to curb the violence against women (Turkey);
- 12. To systematically and continuously integrate a gender perspective in the follow-up process to the review (Slovenia);
- 13. To advise potential donor agencies of the type of technical assistance that would help to meet its treaty body reporting obligations (New Zealand);
- 14. To strengthen its efforts in the area of human rights education, training of public officials and on the participation of civil society in the promotion and protection of human rights, including through international and regional cooperation (Mexico);
- 15. To share its experiences of the UPR with other Pacific Island States (Philippines);
- 16. To officially seek to renew its request for assistance to the OHCHR in this respect and also through the UPR Trust Fund established specifically to assist in the implementation of recommendations emanating from the UPR (Egypt);
- 17. To submit its initial report on CRC (Japan);
- 18. To Tonga and to relevant actors to attentively follow-up on the requests for capacity-building and technical assistance on human rights (Mexico);
- 19. To continue to step up its efforts in the promotion and protection of human rights with the full support of the international community, as requested in the report submitted by Tonga to the UPR (Morocco);
- 20. To continue to request technical assistance and financial support to improve education services, to redraft the Kingdom's Constitution, and its activities in the promotion of human rights (Bangladesh);
- 21. To adopt measures to strengthen the protection of freedom of expression, information and the press (France, Canada);
- 22. To develop the practical steps to enhance freedom of speech and freedom of the press (Republic of Korea);
- 23. To pursue its efforts to create a national human rights institution under the Pacific Plan (Canada);
- 24. To establish a national human rights institution in accordance with the Paris Principles (France);
- 25. To create, if not a national human rights institution, at least one at the level of the group of Islands it belongs to, so that they may more effectively improve their human rights performance and implement their human rights obligations (Algeria);
- 26. To continue to uphold the core values that are in the Tongan constitutional and customary history, in its work to ensure full compliance with human rights and fundamental freedoms for all Tongans (Algeria);

- 27. To continue its endeavours towards better serving its people by securing a higher standard of human rights (Turkey);
- 28. To pay increased attention to persons with disabilities and their related needs (Slovenia);
- 29. To take all the possible anti-corruption measures (Republic of Korea);
- 30. To continue cooperating with civil society in the implementation of the outcome process (United Kingdom);
- 31. To promote the human rights education programmes for police, security and penal personnel (Canada).

64. The recommendations noted in the report in paragraphs 26 (b); 26 (c); 27; 28 (b) and 28 (c); 31 (b) and (f); 38 (c); 39 (a) and (b); and 58 (b) above did not enjoy the support of Tonga."

- Paragraph 26 (b) (Italy): "To ratify the Rome Statute of the International Criminal Court. Italy commended Tonga on the moratorium on executions in place since the 1980s"
- (c): "To consider a complete abolition of the death penalty"
- Paragraph 27 (United States): "To launch a credible investigation into reports that surfaced following the riots and prosecute offenders."
- Paragraph 28 (b) (the Netherlands): "To amend legal provisions that criminalize some forms of sexual activity between consenting adults and decriminalize sexual activity between consenting adults"
- (c): "To facilitate extended access to prisons for NGOs and that it implements the recommendations contained in the report of the Community Para-Legal Taskforce on Human Rights with regard to persons detained by the security forces"
- Paragraph 31 (b) (Canada): "To amend its criminal laws so that sexual activity between consenting adults is not a criminal offence"
- (f): "To take steps to eliminate graft within the public sector so that the enjoyment of human rights is not imperilled by rent-seeking within Government. "
- Paragraph 38 (c) (Switzerland): "To consider repealing the discriminatory practice in the inheritance laws"
- Paragraph 39 (a) (Czech Republic): "To amend legislation discriminating against women in the fields of inheritance, ownership to land and child support."
- (b): "Recommended the decriminalization of consensual same-sex activity between adults"
- Paragraph 58 (b) (Bangladesh): "To continue to criminalize consensual same sex, which is outside the purview of universally accepted human rights norms, according to Tonga's national legislation."

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