

Responses to Recommendations

Tuvalu

Session 30

Review in the Working Group: 9 May 2018
Adoption in the Plenary: 20 September 2018

Tuvalu's responses to recommendations:

In the Report of the Working Group:	In the Addendum:	During the plenary:	Summary:
Supported: 0 Noted: 0 Pending: 127 Total: 127	Out of the 127 recs left pending, 78 were accepted, 49 noted	No Additional Information provided	Accepted: 78 Noted: 49 Total: 127

Paragraph headers are as in the Report of the Working Group, but the nature of responses to recommendations may have subsequently been changed.

List of recommendations contained in Section II of the Report of the Working Group A/HRC/39/8:

101. The following recommendations will be examined by Tuvalu, which will provide responses in due time, but no later than the thirty-ninth session of the Human Rights Council:

- S - 101.1 Ratify the international human rights instruments it is not party to (Ghana);
- S - 101.2 Proceed to a rapid ratification of the main international conventions on human rights (France);
- S - 101.3 Ratify international instruments to which Tuvalu is not yet part of (Togo);
- S - 101.4 Ratify the Convention on the Prevention and Punishment of the Crime of Genocide (Armenia);



- N - 101.5 Ratify the International Covenant on Civil and Political Rights (Montenegro);
- N - 101.6 Accede to the International Covenant on Civil and Political Rights and take steps to raise social awareness and understanding of the rights embodied in the instrument (Canada);
- N - 101.7 Take steps to ratify the International Covenant on Civil and Political Rights and its Optional Protocols, and incorporate these obligations into domestic legislation (New Zealand);
- N - 101.8 Ratify the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights (Brazil);
- N - 101.9 Sign and ratify the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights as soon as possible (Iceland);
- N - 101.10 Speed up the efforts to ratify other core human rights treaties, particularly the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (Slovenia);
- N - 101.11 Accelerate efforts to ratify the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (Ireland);
- N - 101.12 Increase efforts to swiftly ratify the main international human rights instruments, especially the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (Italy);
- N - 101.13 Ratify the International Covenant on Economic, Social and Cultural Rights (Montenegro);
- N - 101.14 Ratify the International Covenant on Civil and Political Rights and the Optional Protocol thereto on abolishing the death penalty, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Convention on the Elimination of All Forms of Racial Discrimination (Ukraine);
- N - 101.15 Ratify the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Germany);
- N - 101.16 Ratify the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Australia);
- S - 101.17 Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Denmark);
- S - 101.18 Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Armenia); Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Spain); Pursue efforts to ratify international instruments such as the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Morocco); Consider acceding to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Indonesia);
- S - 101.19 Consider the ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Chile);



N - 101.20 Consider adhering to the main human rights international instruments, namely, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (Costa Rica);

S - 101.21 Consider the ratification of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (Afghanistan);

S - 101.22 Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Convention against Torture (Philippines);

S - 101.23 Intensify efforts to ratify remaining major international human rights treaties, including the Optional Protocol to the Convention on the Rights of Persons with Disabilities, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Convention on the Elimination of All Forms of Racial Discrimination, the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women and the Optional Protocols to the Convention on the Rights of the Child (Georgia);

N - 101.24 Ratify promptly the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Uruguay);

S - 101.25 Ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (Denmark);

S - 101.26 Accede and ratify the human rights instruments to which it is not yet a party, in particular the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, the Optional Protocol to the Convention on the Rights of Persons with Disabilities and the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption (Honduras);

S - 101.27 Ratify the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (Iraq);

S - 101.28 Ratify the Convention on the Rights of Persons with Disabilities (Afghanistan);

S - 101.29 Adopt an open, merit-based selection process when selecting national candidates for treaty body elections (United Kingdom of Great Britain and Northern Ireland);

S - 101.30 Ratify the ILO Worst Forms of Child Labour Convention, 1999 (No. 182) (United Kingdom of Great Britain and Northern Ireland);

N - 101.31 Introduce in the Constitution the prohibition against discrimination based on gender and on sexual orientation, at the same level as racial and religious discrimination (France);

S - 101.32 Finalize constitutional changes with an aim to strengthen the non-discrimination clause on a gender and disability basis and take further steps towards empowering them (Georgia);

N - 101.33 That the current constitutional review seek to clarify the principle of equality of women and men (Guyana);

S - 101.34 Proceed with the establishment of an independent national human rights institution, in compliance with the Paris Principles (Algeria);

S - 101.35 Expedite the establishment of the national human rights institution in compliance with the Paris Principles (Ghana) (Nepal) (Spain) (Turkey);

S - 101.36 Take further steps in implementing the National Human Rights Institution Act 2017 towards the full establishment of a national human rights institution that is in full conformity with the Paris Principles (Indonesia);

S - 101.37 Establish the national human rights institution in full compliance with the Paris Principles (Portugal);

S - 101.38 Accelerate its efforts in establishing the national human rights institution in full compliance with the Paris Principles (Ukraine);

S - 101.39 Establish an ombudsman as a mechanism for reception of complaints on human rights violations by State agents (Philippines);

S - 101.40 Establish a national mechanism for reporting and monitoring of its human rights obligations (Honduras);

S - 101.41 Make every effort to ensure appropriate mechanisms for monitoring the implementation of the human rights national action plan for 2016 to 2020 (Jamaica);

S - 101.42 Continue to resource and progress implementation of its action plan to strengthen the implementation of its international human rights obligations (New Zealand);

N - 101.43 Consider the establishment or strengthening of the existing national mechanism for coordination, implementation, reporting and follow-up, in line with elements arising from good practices identified in the 2016 OHCHR guide on national mechanisms for reporting and follow-up (Portugal);

N - 101.44 Establish a special national body aimed at regular reporting on measures taken by the national authorities in implementing the Human Rights Council's recommendations (Serbia);

S - 101.45 Ensure an adequate institutional framework and the resources to fully implement the Tuvalu National Human Rights Action Plan 2016–2020 (Singapore);

N - 101.46 Consider the establishment and implementation of a national mechanism for reporting and follow-up with a view to a constructive and systematic cooperation with the human rights protection system of the United Nations (Togo);

S - 101.47 Allocate sufficient budget and human resources to fully implement the Tuvalu National Human Rights Action Plan 2016–2020 (Philippines);

S - 101.48 Continue efforts to promote human rights by strengthening the national legislative framework (Morocco);

S - 101.49 Adopt policy and legal measures to combat discrimination based on sexual orientation and gender identity (Chile);

N - 101.50 Repeal provisions of the penal code that criminalize adult consensual same-sex sexual conduct (United States of America);



S - 101.51 Review legislation and amend or repeal any law that discriminates on the grounds of sexual orientation and gender identity, or any other ground, in accordance with the principles of equality and non-discrimination (Uruguay);

S - 101.52 Prohibit by law all forms of discrimination, particularly those based on sex or disability (Algeria);

N - 101.53 Amend or repeal all sex-related discriminatory legislation and legislation criminalizing consensual same-sex relations to ensure consistency with the principles of equality and non-discrimination (Australia);

N - 101.54 Decriminalize consensual sexual relations between adults of the same sex (Honduras);

N - 101.55 Repeal all provisions that criminalize consensual same-sex conduct and ensure that anti-discrimination laws cover sexual orientation (Iceland);

N - 101.56 Repeal provisions of the Criminal Code that criminalize consensual sexual relation between adults of the same sex (Spain);

N - 101.57 Modify or repeal all laws that discriminate on the ground of sexual orientation or gender identity pursuant to the principle of equality and non-discrimination enshrined in international human rights law (Spain);

N - 101.58 Consider repealing provisions that outlaw sexual relations between consenting male adults (Italy);

N - 101.59 Repeal all provisions that criminalize consensual same-sex conduct and ensure that anti-discrimination laws cover sexual orientation (United Kingdom of Great Britain and Northern Ireland);

N - 101.60 Take measures as necessary to remove from the criminal code the offence of consensual sexual relations between persons of the same sex (Argentina);

N - 101.61 Amend sections 153–155 of the Penal Code to decriminalize same-sex conduct between consenting adults, as well as prohibit discrimination based on sexual orientation and gender identity (Canada);

S - 101.62 Accelerate efforts to incorporate into its legislation at all levels, including at the constitutional level, provisions that prohibit discrimination based on sex, gender and disability (Mexico);

N - 101.63 Continue to take steps to actively promote the equal rights of all individuals regardless of gender, religious belief, sexual orientation, age, disability or other status, including by ratifying the International Covenant on Economic, Social and Cultural Rights (New Zealand);

S - 101.64 Integrate principles of non-discrimination and equality of women and men into education policies, the national core curriculum and related documents, as well as into basic and continuing education for teachers and health-care professionals and other service providers (Iceland) (Portugal);

S - 101.65 Undertake further measures regarding the remaining key areas where improvements need to be made, most notably in relation to vulnerable groups of populations, in particular women, persons with disabilities and children (Ukraine);

N - 101.66 Repeal all discriminatory provisions included in the land code (Congo);



S - 101.67 Proceed with the implementation of the National Strategy for Sustainable Development and the Tuvalu National Human Rights Action Plan 2016–2020 (Israel);

S - 101.68 Strengthen the gender equality perspective in sustainable development policies (Iraq);

S - 101.69 Continue to implement climate change mitigation policies to avoid impacts on the fundamental rights of Tuvaluans (Haiti);

S - 101.70 Continue implementing policies and programmes aimed at the mitigation of the effects of climate change, taking into consideration a focus on human rights (Costa Rica);

S - 101.71 Continue promoting in the international sphere the right to a healthy environment, and the fight against climate change (Cuba);

S - 101.72 Assess on a regular basis the impact of climate change and natural disasters on the full enjoyment of human rights by the poor and low-income population, with a view to supporting victims of such disasters (Ghana);

S - 101.73 Periodically assess the impact of climate change and natural disasters on the enjoyment of human rights by the poor and support efforts to build their resilience to such disasters (Jamaica);

S - 101.74 Redouble efforts with a view to formulating, in coordination with regional organizations and the United Nations, a plan for the management and mitigation of natural disasters that takes into consideration the situation of migrant children and the potential massive displacement of the population (Mexico);

S - 101.75 That the Office of the People's Lawyer could be strengthened with the necessary financial, human and technical resources to enable effective representation of those in need of legal aid (Guyana);

N - 101.76 That measures could be taken to address perceived restrictions to the freedom of religion (Guyana);

S - 101.77 Take measures to fully guarantee freedom of religion or belief, including by addressing concerns from minority religious groups over limitations on their activities in the outer islands (Canada);

S - 101.78 Ensure the meaningful participation of all citizens of Tuvalu dispersed in the archipelago in the current process of constitutional revision (Honduras);

S - 101.79 Take the necessary measures to modernize Tuvalu's maritime infrastructure, with a view to creating better jobs in the formal sector (Haiti);

S - 101.80 Develop initiatives aiming to guarantee access to water and sanitation for all (France);

S - 101.81 Pursue efforts to eradicate poverty (Senegal);

S - 101.82 Explore all appropriate options to improve access to affordable and adequate health care for citizens on the outer islands, particularly women (Jamaica);

S - 101.83 Strengthen human and financial resources of health-care services to enable them to better serve disadvantaged segments of the population (Senegal);

N - 101.84 Introduce new dietary practices to reduce obesity (Haiti);

S - 101.85 Assign human and financial resources in order to strengthen universal access to sexual and reproductive health services, in particular for women and girls on the outer islands, who are not adequately equipped, with trained midwives and nurses to attend to maternal health and attend to the complications of deliveries (Honduras);

S - 101.86 Continue to make efforts to guarantee the right to the enjoyment of the highest attainable standard of health, particularly by ensuring access to health services to all persons living in the country, particularly by installing health centres on the outer islands (Brazil);

N - 101.87 Improve health-care infrastructure, access to emergency obstetric care, midwife training, and resources devoted to maternal health (Ghana);

N - 101.88 Continue strengthening the programmes and social policies in the areas of education, health and food, paying special attention to the sectors of the population that are most in need (Bolivarian Republic of Venezuela);

N - 101.89 Continue strengthening programmes to promote employment and assistance for vulnerable groups in the fight against poverty and social exclusion (Bolivarian Republic of Venezuela);

N - 101.90 That the right to education should be treated similarly to other rights in the Constitution (Guyana);

S - 101.91 Redouble efforts to increase the quality of education and guarantee the right to education for all, without exclusion (Haiti);

N - 101.92 Step up the efforts to improve education infrastructure, in particular basic sanitary facilities (Republic of Korea);

N - 101.93 Reform the Penal Code to criminalize marital rape and continue to address customs and social patterns that perpetuate discrimination against women and girls (Canada);

N - 101.94 Adopt comprehensive measures, including legislative measures, to prevent and address all forms of violence against women and girls, including sexual violence (Uruguay);

N - 101.95 Adopt comprehensive legislative measures to prevent and address all forms of violence against women and girls, and ensure that victims of violence have access to means of redress and protection, and perpetrators are brought to account (Republic of Korea);

N - 101.96 Adopt legislative and other measures to prevent and combat all forms of violence against women and girls, including domestic and sexual violence (Spain);

S - 101.97 Ensure universal access to sexual and reproductive health services for all women and girls (Uruguay);

S - 101.98 Prioritize the full implementation of the Family Protection and Domestic Violence Act of 2014, including by ensuring that women and girl survivors of violence have access to effective means of redress and protection and by raising societal awareness about the content of the Act (Netherlands);

S - 101.99 Implement the measures identified in the human rights national action plan to address violence against women, including through community education, police training and stronger recording processes (Australia);

S - 101.100 Develop a comprehensive strategy to reduce violence against women, including domestic violence, particularly on the outer islands, by enhancing women's awareness of their rights and identifying ways to combat such violence (Turkey);

S - 101.101 Take advantage of the new electoral law to work towards increased participation of women in politics (France);

S - 101.102 Promote equality and empowerment of women, particularly in regard to hereditary and custody rights, and strengthen measures against domestic violence (Germany);

S - 101.103 Take further measures to protect women and children against all forms of violence (Italy);

S - 101.104 Ensure efficient follow-up to the recommendations given by the Committee on the Elimination of Discrimination against Women (Israel);

S - 101.105 Take effective measures to promote gender equality and women's empowerment (Nepal);

S - 101.106 Review and subsequently amend or repeal legislation entailing gender-based discrimination, including provisions in the Penal Code 1978 and the Marriage Act (Netherlands);

S - 101.107 Amend the Penal Code and the Family Protection and Domestic Violence Act in order to criminalize rape in all circumstances (Portugal);

S - 101.108 Ensure that a gender perspective is integrated into all climate change and disaster risk reduction policies, bearing in mind that disasters not only disproportionately affect women and girls but also exacerbate existing economic and social inequality across gender (Republic of Korea);

S - 101.109 Continue to fight all forms of discrimination, in particular against women (Senegal);

S - 101.110 Fully implement the Family Protection and Domestic Violence Act 2014, with the necessary technical assistance of the relevant United Nations agencies such as the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and UNDP where appropriate, expeditiously operationalize the Family Protection Fund, and dedicate the necessary resources to ensure that the family protection and domestic violence baseline study conducted by the office of the Attorney General is comprehensive so as to strengthen the ongoing work to eliminate violence against women in Tuvalu (Singapore);

S - 101.111 Work towards the implementation of the women, peace and security agenda in order to guarantee effective participation of women in all aspects of decision-making (Spain);

N - 101.112 Repeal all discriminatory laws against women which are contrary to the provisions of the Convention on the Elimination of All Forms of Discrimination against Women, in particular inequality in access to property rights and the underrepresentation of women in public and political life (Togo);

N - 101.113 Take steps necessary to do away with patriarchal and gender-based stereotypes, which lead to perpetuation of discrimination against women (Argentina);

N - 101.114 Prohibit corporal punishment for disciplining children both at home and in any other area of the society (Uruguay);

N - 101.115 Adopt public policies aiming at the eradication of violence against children, including legal measures to prohibit corporal punishment both in school and in the family (Chile);

S - 101.116 Criminalize child pornography and ensure the law criminally prohibits: procuring, offering, providing, obtaining or using children for prostitution and/or for the production of pornography, or other illicit activities, as well as prohibits the distribution, dissemination, sale and possession of child pornography (United States of America);

S - 101.117 Step up efforts to reduce the mortality rate among children under 5 (Congo);

N - 101.118 That the legislation be amended to ensure equal rights for both parents for children born out of wedlock (Guyana);

S - 101.119 Make further efforts to register all children born on all islands (Haiti);

S - 101.120 Continue its efforts in strengthening the capacity of the Tuvalu Police Force and the Office of the Attorney General in applying child-sensitive justice procedures (Indonesia);

N - 101.121 Continue to work towards the abolition of corporal punishment in all settings, and that awareness-raising campaigns about the negative impact of corporal punishment on the development of children are undertaken (Ireland);

S - 101.122 Continue to strengthen legislative measures by remedying protection gaps to protect all children from both violence and abuse, as recommended by the Committee on the Rights of the Child (Maldives);

N - 101.123 Adopt legislative measures to fully align the juvenile justice system with the relevant international standards, including by repealing the provisions that allow corporal punishment (Mexico);

S - 101.124 Adopt a comprehensive child policy based on the principles and provisions of the Convention on the Rights of the Child (Togo);

S - 101.125 Continue efforts to promote and protect the rights of children and persons with disabilities (Nepal);

S - 101.126 Take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices that constitute discrimination against persons with disabilities (United States of America);

S - 101.127 Explore all appropriate options to advance the rights of persons with disabilities, building on existing platforms and with appropriate assistance from the international community (Jamaica).

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