

Earthjustice – Oral Statement – UPR of Tuvalu – Geneva, March 20, 2009

Earthjustice welcomes and encourages the positive responses of Tuvalu to continue its efforts to ratify of all major HR Treaties and to establish a National HR Institution respecting the Paris Principles.

As several Countries have stated during the UPR working group, climate change is one of the major threat to the HR of the population of Tuvalu. Unfortunately, Tuvalu is a good example of the rights affected by climate change, such as the right to food, the right to water or the right to adequate housing, which are descibed in the OHCHR Report on the impact of climate change on HR. We therefor also encourage the gouvernement of Tuvalu to promote for its population a strong access to information, education and public participation in enviromental and climate change matters.

The siutation of Tuvalu shows clearly that if the right to an ecologically sustainable environment requires a strong national policy and comitment , it can not be protected by national measures alone. Right to assistance in emergency situation and possible refugee rights can only be granted by the active involvement of the international community. But the responsibility of the international community can not be limited to assistance measures. As the authorities of Tuvalu stated during the UPR, such a restrictive approach as well as the view « to relocate the people with all their cultural and fundamental human rights would be self- defeating for the international community ».

There is a clear responsability here for the international commumity, to « do no harm ». Tuvalu illustrates very well how climate change mitigation measures are a direct contribution to the prevention of human rights violations. We therefor call the Council to consider the whole range of measures which are needed to make it possible for Tuvalu to protect the human rights of its people.

We also call the govrnment of Tuvalu to actively participate in the future discussions on this issue at the Council as well as to the negotiations on the post-Kyoto regime, so that it takes into consideration the human rights implications of the stuggle against climate change.

Thank-you for your attention.