

Recommendations & Pledges

TUVALU

Second Review Session 16

Review in the Working Group: 24 April 2013
Adoption in the Plenary: 19 September 2013

Tuvalu's responses to recommendations (as of 20.12.2013):

In the Report of the Working Group:	In the Addendum:	During the plenary:	Summary:
68 recs accepted, 27 rejected and 2 left pending	The two pending recommendations are accepted.	The delegation stated that 18 rejected recommendations were now "core components of the Road Map for the new Government" but without clarifying whether they were accepted.	Accepted: 70 Rejected: 27 No clear position: 0 Pending: 0 Total: 97

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/24/8:

82. The recommendations formulated during the interactive dialogue listed below enjoy the support of Tuvalu:

A - 82.1. Continue the efforts to achieve accession to the main human rights international instruments and their consistent incorporation into domestic legislation (Costa Rica);

A - 82.2. Consider ratifying new international human rights instruments which would assist in strengthening its legal and institutional framework for the promotion and protection of human rights (Nicaragua);

A - 82.3. Continue its efforts to accede to the remaining core international human rights treaties, which will strengthen the domestic legislation with regard to the promotion and protection of human rights, including freedom of religion or belief (Turkey);

A - 82.4. Work closely with the OHCHR and the Council for considering eventual participation to the core international instruments on human rights (Viet Nam);

A - 82.5. Further continue internal consultations and request the technical assistance of relevant UN institutions with regards to the accession to the core international human rights treaties (Azerbaijan);

A - 82.6. Increase efforts to swiftly ratify fundamental treaties on human rights, such as ICCPR and ICESCR, also by taking advantage of the available international technical assistance to address possible shortcomings in fulfilling the requirements of the international treaties (Italy);

A - 82.7. Put in place, with the technical cooperation of OHCHR and the financial support of the donor's community, a sustained human rights training process for government authorities, the People's Lawyers Office, officials of the justice system and inhabitants of the country, in order to begin with a ratification process, or when applicable, accession, to the main international human rights treaties, including the Rome Statute of the International Criminal Court (Uruguay);

A - 82.8. Ratify the Rome Statute of the International Criminal Court as soon as possible (Australia);

A - 82.9. Ratify the Rome Statute of the International Criminal Court and accede to the Agreement on the Privileges and Immunities of the ICC (Estonia);

A - 82.10. Accelerate the process of legislative compliance review, mentioned in the state report, in order to ratify the core human rights treaties, in particular the ICCPR (Hungary);

A - 82.11. Consider becoming party to the Optional Protocols to the CRC (Thailand);

A - 82.12. Consider signing and ratifying the new Optional Protocol to the CRC on a communications procedure (Slovakia);

A - 82.13. Continue its efforts to harmonize its national legislation with international human rights instruments (Morocco);

A - 82.14. Continue progress towards passage of subordinate legislation and full implementation of the Police Service Act 2009 and the Police Powers and Duties Act 2009 (Australia);

A - 82.15. Step up its efforts to implement the Police Powers and Duties Act (PPDA) (Indonesia);

A - 82.16. Intensify efforts to establish a National Human Rights Commission in order to consolidate and secure the gains made in promoting and protecting the human rights of the people of Tuvalu (Nigeria);

A - 82.17. Pursue its efforts to create a national human rights institution (Turkey);

A - 82.18. Maintain and strengthen efforts towards the establishment of a fullyfledged National Human Rights Institution (Brazil);

A - 82.19. Step up efforts in implementing the current national priorities, including the policy for youth and women advancement, Education Strategic Plan, Climate Change Adaptation Program and the National Sustainable Development Strategy (Viet Nam);

A - 82.20. Strengthen its commitment to empowering women and youth and continue to build on the achievements already made and expedite action on its review of the National Youth Police, which is currently underway (Nigeria);

A - 82.21. Consider adopting a National Plan adapted for children and early childhood (Algeria);

A - 82.22. Continue its efforts to train law enforcement personnel on human rights protection (Morocco);

A - 82.23. Continue its efforts to inform and raise awareness of the population on human rights principles (Morocco);

A - 82.24. Continue its positive approach with regard to the promotion of human rights through its education system (Malaysia);

A - 82.25. Continue to actively engage its regional and international partners to mobilize the necessary resources for the implementation of its human rights program (Philippines);

A - 82.26. Call upon the UN bodies and other donors to provide all necessary technical and financial support to help them to meet their human rights obligations (Morocco);

A - 82.27. Extend a standing invitation to all thematic special procedures (Montenegro);

A - 82.28. Extend an open invitation to the Special Procedures (Guatemala);

A - 82.29. Continue and enhance the efforts in promoting and protecting the rights of vulnerable groups including women and persons with disabilities (Indonesia);

A - 82.30. Strengthen legal and administrative provisions to eliminate all forms of discrimination based on sex and gender (Chile);

A - 82.31. Carry out a comprehensive legal review of its domestic legislation and traditional practices to amend or eliminate those cultural practices and stereotypes which discriminate against women, bearing in mind its condition as State party to the Convention on the Elimination of All Forms of Discrimination against Women, while implementing innovative measures addressed to youth and adults to increase the understanding of the concept of equality between women and men and to present a positive and nonstereotypical image of women (Uruguay);

A - 82.32. Work out and implement all those necessary measures, including legislative revisions, aiming at tackling discrimination and stereotypes against women, in particular those conducive to abuses and violence (Italy);

A - 82.33. Continue its efforts in promoting gender equality including expanding the role of women in its national development (Malaysia);

A - 82.34. Continue to work to achieve gender equality in the country (Guatemala);

A - 82.35. Consider strengthening its policy and relevant legislation, as well as allocating adequate resources, to further promote gender equality and women's participation in public life (Thailand);

A - 82.36. Pursue the efforts aiming at promoting women rights and ensuring gender equality, with particular attention to the access of women to justice and women participation in public life (Algeria);

A - 82.37. Take further steps to increase women's empowerment, including in political and economic life, and through local and national implementation of effective measures to address domestic violence and gender discrimination (Australia);

A - 82.38. Implement policies to combat discrimination against women, both in public and private life (Spain);

A - 82.39. Continue to promote and strengthen the realization of women's rights, with special attention on equal rights and opportunities in the labor market (Brazil);

A - 82.40. Strengthen its national machinery to promote gender equality and gender mainstreaming (Trinidad and Tobago);

A - 82.41. Continue to combat discriminatory societal behaviours, in particular discrimination against women in law and practice, and take further steps to address violence against women, and domestic violence in particular (Canada);

A - 82.42. Continue its efforts to guarantee gender equality by, for example, launching a public awareness campaign in order to stop violence against women and impunity for crimes against women (Netherlands);

A - 82.43. Pass and implement its proposed legislation to prevent violence against women and adopt a strategy to properly tackle the unequal status of women in many areas including education, public life and decision-making (United Kingdom of Great Britain and Northern Ireland);

A - 82.44. Adopt appropriate laws to combat violence against women in general and domestic violence in particular (France);

A - 82.45. Continue to combat violence against women and promote gender equality, with assistance from the UN Women and other relevant organizations (Singapore);

A - 82.46. Continue the efforts made within the framework of fighting violence against women (Senegal);

A - 82.47. Reinforce measures addressing violence against women, in particular the domestic violence, ensuring due accountability for perpetrators and increasing victims' access to justice (Slovakia);

A - 82.48. Create an institutional strategy to reduce domestic violence (Slovenia);

A - 82.49. Consolidate the development of a comprehensive national framework in addressing all forms of violence against women, through the adoption of the Domestic Violence Bill, and harmonize domestic law with the provisions of the Convention on the Elimination of All Forms of Discrimination against Women (Maldives);

A - 82.50. Enact the Family Protection and Domestic Violence Bill and continue efforts to increase and extend public awareness on domestic violence issues to the Outer Islands (New Zealand);

A - 82.51. Continue its internal measures for the adoption of the Family Protection and Domestic Violence Bill (Azerbaijan);

A - 82.52. Support the Family Protection and Domestic Violence draft Bill with an institutional strategy and sufficient resources to enhance the prevention of domestic violence, combat impunity and grant adequate access to justice for the victims (Italy);

A - 82.53. Harmonize its Penal Code and legislation with the CRC in order to eradicate corporal punishment of children in schools and other settings (Hungary);

A - 82.54. Opt for the prohibition of the use of corporal punishments, especially those involving minors (Spain);

A - 82.55. Strengthen the proper functioning of the People's Lawyers Office by providing financial and technical support in order that everybody has the right to a due process and legal representation (France);

A - 82.56. Implement, with the assistance of the international cooperation, a complaints system to guarantee the effective access of women to justice, in accordance with the provisions of the Convention on the Elimination of All Forms of Discrimination against Women (Uruguay);

A - 82.57. Implement the Religious Organizations Restriction Act of 2010 consistent with its terms and with full respect for international religious freedom (United States of America);

A - 82.58. Organize a by-election in Nukufetau as soon as practicable (United States of America);

A - 82.59. Implement policies to promote food security (Mexico);

A - 82.60. Comply with the UN Special Rapporteur's recommendation to adopt and implement a national water strategy and plan of action covering the entire population (Trinidad and Tobago);

A - 82.61. Increase the initiatives to guarantee access for all to drinking water and sanitation (Spain);

A - 82.62. Move forward, at the earliest possible opportunity, with the adoption of the draft Water Act to establish a legal framework and put in place water resources and sanitation infrastructure, including adequate collection, storage and distribution mechanisms to alleviate the challenges of scarcity and to ensure that all its citizen's right to safe drinking water and sanitation are safeguarded (Maldives);

A - 82.63. Adopt and implement a national water strategy and plan of action covering the entire population, and make access to water and sanitation affordable to all (Slovenia);

A - 82.64. Include, among the priorities of the Second National Strategic Development Plan, the access to sanitation along with access to drinking water which is already contained (Spain);

A - 82.65. Improve access to education for children living in rural areas and adopt further measures, special laws and awareness programs to promote gender equality in education (Hungary);

A - 82.66. Continue efforts to guarantee the full inclusion of persons with disabilities in all spheres of society (Costa Rica);

A - 82.67. Continue to implement its NAPA to address the impacts of climate change, with assistance from UNPD, the Global Environment Fund and other relevant international stakeholders (Singapore);

A - 82.68. Formulate, in cooperation with regional and United Nations mechanisms, a plan for the management and mitigation of natural disasters which includes potential mass displacements of the population (Mexico).

83. The following recommendations will be examined by Tuvalu which will provide responses in due time, but no later than the 24th session of the Human Rights Council in September 2013:

P - 83.1. Consider the possibility of amending the National Constitution to include a safeguard against statelessness, which establishes the acquisition of Tuvaluan nationality for children born in the territory who otherwise would be stateless (Uruguay);

P - 83.2. Include legislative safeguard against statelessness with regards to children born in its territory, who would otherwise be stateless, to acquire Tuvaluan nationality (Slovakia).

84. The recommendations below did not enjoy the support of Tuvalu:

A - 84.1 Become party to the UN core human rights treaties and continue its efforts towards this aim (Montenegro);

A - 84.2. Step up its recent efforts and ratify the core human rights treaties and other main relevant international instruments (Germany);

A - 84.3. Accede to the International Covenant on Civil and Political Rights as a priority (Maldives);

A - 84.4. Accede to the International Covenant on Civil and Political Rights and its optional protocols (Estonia);

A - 84.5. Ratify as soon as possible the main international human rights treaties, mainly the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights and ensure their effective implementation (France);

A - 84.6. 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);

A - 84.7. Ratify, as soon as possible, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the respective optional protocols to those Covenants (Spain);

- A - 84.8. Ratify the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights (Trinidad and Tobago);
- A - 84.9. Ratify the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (Ireland);
- A - 84.10. Ratify the Convention against Torture (Guatemala);
- A - 84.11. Accede to the Convention on the Prevention and Punishment of the Crime of Genocide (Estonia);
- A - 84.12. Proceed with the full incorporation of human rights treaties to which Tuvalu is a party into its domestic legal system (Slovakia);
- A - 84.13. Incorporate into domestic legislation the provisions of the Convention on the Elimination of All Forms of Discrimination against Women and of the Convention on the Rights of the Child (France);
- A - 84.14. Fully incorporate the provisions of the Convention on the Elimination of All Forms of Discrimination against Women into its domestic legal system, including through the on-going process of the amendment of the Constitution (Hungary);
- A - 84.15. Establish a national human rights institution that is fully compliant with the Paris Principles (Maldives);
- A - 84.16. Establish a national human rights institution in conformity with the Paris Principles (Morocco);
- A - 84.17. Ratify the main human rights treaties and investigate the possibility of the establishment of a national human rights institute, if necessary with assistance from the UN and UN member states (Netherlands);
- A - 84.18. Repeal all provisions that criminalise consensual same-sex conduct and ensure that anti-discrimination laws cover sexual orientation (United Kingdom of Great Britain and Northern Ireland);
- A - 84.19. Support repeal of the provision of the Penal Code criminalizing consensual sex between adult males (United States of America);
- A - 84.20. Introduce in the Constitution the prohibition on gender and sex based discrimination similar to that relating to racial or religious discrimination (France);
- A - 84.21. Amend section 27 paragraph 1 of the Constitution, incorporate into the legislation the principle of equality between women and men and a prohibition of discrimination on the basis of sex as well as enact legislation to enforce the prohibition of discrimination (Germany);
- A - 84.22. Amend country's Constitution and enact other appropriate legislation to prohibit discrimination on gender grounds (Slovakia);
- A - 84.23. Adopt, as a matter of priority, all legal and administrative measures to prohibit and punish corporal punishment of children in all settings, including at home (Uruguay);
- A - 84.24. Adopt legal and administrative measures to eliminate all forms of corporal punishment of children (Chile);
- A - 84.25. Adopt necessary legislative and administrative measures to guarantee freedom of religion (Mexico);
- A - 84.26. Make changes to the Constitution Amendment Act of 2010 to fully guarantee freedom of religion or belief (Canada);
- A - 84.27. Amend or repeal the Religious Organisations Act so as to establish a legal framework ensuring that everyone is free to practice his or her own religious faith without penalty (Ireland).

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