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resolution 16/21**

Tuvalu

The present report is a compilation of the information contained in the reports of treaty bodies and special procedures, including observations and comments by the State concerned, and of the Office of the High Commissioner for Human Rights (OHCHR), and in other relevant official United Nations documents. It is presented in a summarized manner due to word-limit constraints. For the full text, please refer to the document referenced. This report does not contain any opinions, views or suggestions on the part of OHCHR other than those contained in public reports and statements issued by the Office. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

I. Background and framework

A. Scope of international obligations¹

International human rights treaties²

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified/not accepted</i>
<i>Ratification, accession or succession</i>	CEDAW (1999)		ICERD
	CRC (1995)		ICESCR
			ICCPR
			ICCPR-OP 2
			CAT
			OP-CAT
			OP-CRC-AC
			OP-CRC-SC
			ICRMW
			CRPD
		CPED	
<i>Reservations, declarations and/or understandings</i>			
<i>Complaint procedures, inquiry and urgent action³</i>			ICERD
			OP-ICESCR
			ICCPR
			ICCPR-OP 1
			OP-CEDAW
			CAT
			OP-CRC-IC
			ICRMW
			OP-CRPD
			CPED

Other main relevant international instruments

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified</i>
<i>Ratification, accession or succession</i>	Convention on refugees ⁴ Geneva Conventions of 12 August 1949 ⁵		Convention on the Prevention and Punishment of the Crime of Genocide Rome Statute of the International Criminal Court Palermo Protocol ⁶ Conventions on stateless persons ⁷ Additional Protocols I, II and III to the 1949 Geneva Conventions ⁸ ILO fundamental conventions ⁹ ILO Conventions Nos. 169 and 189 ¹⁰ UNESCO Convention against Discrimination in Education

1. In 2009, the Committee on the Elimination of Discrimination against Women (CEDAW) encouraged Tuvalu to ratify ICESCR, ICCPR, ICERD, ICRMW, CPED, CRPD and OP-CEDAW.¹¹
2. CEDAW invited Tuvalu to accept the amendment to article 20, paragraph 1 of the Convention.¹²
3. UNHCR recommended that Tuvalu consider acceding to the 1954 Convention relating to the Status of Stateless Persons and to the 1961 Convention on the Reduction of Statelessness.¹³
4. UNESCO recommended that Tuvalu ratify the 1960 Convention against Discrimination in Education and submit a report to the 8th Consultation on the measures taken for the implementation of the Convention and Recommendation against Discrimination in Education (covering the period 2006-2011), the results of which will be submitted to UNESCO's governing bodies at the end of 2013.¹⁴

B. Constitutional and legislative framework

5. CEDAW urged Tuvalu to proceed with the full incorporation of the Convention into its domestic legal system.¹⁵

C. Institutional and human rights infrastructure and policy measures

6. While welcoming the Department of Women's Affairs within the Ministry of Home Affairs and the National Coordinating Committee for Women¹⁶, CEDAW was concerned that they did not have the authority, capacity nor resources to promote the Convention and coordinate the use of gender mainstreaming across all Government sectors and levels¹⁷. It called upon Tuvalu to strengthen the national machinery to promote gender equality and gender mainstreaming.¹⁸

7. CEDAW urged Tuvalu to ensure that the Office of the People's Lawyer, the main agency providing legal aid, is maintained with adequate human and financial resources.¹⁹

8. CEDAW noted that women and gender development are reflected in the National Strategic Development Plan Te Kakeega II 2005-2015 and welcomed the Revised Tuvalu National Women's Policy of 2006 and the medium-term Corporate Plan 2007-2009.²⁰

9. CEDAW invited Tuvalu to ensure that all national development plans, policies and programmes explicitly promote women's empowerment and the principle of equality of women and men.²¹

10. CEDAW recommended that Tuvalu apply temporary special measures in areas in which women are underrepresented or disadvantaged; accelerate women's advancement; and include in its legislation specific provisions on the application of temporary special measures.²²

11. CEDAW was concerned at the inadequate knowledge about women's rights and the concept of substantive gender equality in society in general and at women's lack of knowledge of their rights. It encouraged Tuvalu to disseminate and raise awareness about the Convention and other legislation; and ensure that the Convention is applied by all Government branches as a framework for all laws, court decisions and policies on gender equality and the advancement of women.²³

II. Cooperation with human rights mechanisms

A. Cooperation with treaty bodies²⁴

1. Reporting status

<i>Treaty body</i>	<i>Concluding observations included in previous review</i>	<i>Latest report submitted since previous review</i>	<i>Latest concluding observations</i>	<i>Reporting status</i>
CEDAW	–	2008/2012	July 2009	Third to fourth reports received in 2012 and pending consideration
CRC	–	2012	–	Initial report pending consideration

2. Responses to specific follow-up requests by treaty bodies

Concluding observations

<i>Treaty body</i>	<i>Due in</i>	<i>Subject matter</i>	<i>Submitted in</i>
CEDAW	2010	Definition of equality and violence against women. ²⁵	–

B. Cooperation with special procedures²⁶

	<i>Status during previous cycle</i>	<i>Current status</i>
<i>Standing invitation</i>	No	No
<i>Visits undertaken</i>	–	Water and sanitation (17-19 July 2012)
<i>Visits agreed to in principle</i>	–	–
<i>Visits requested</i>	–	–
<i>Responses to letters of allegations and urgent appeals</i>	During the period under review, no communications were sent.	

C. Cooperation with the Office of the High Commissioner for Human Rights

12. Tuvalu is covered by the OHCHR Regional Office for the Pacific (RO Pacific) in Suva, Fiji.²⁷

III. Implementation of international human rights obligations

A. Equality and non-discrimination

13. CEDAW noted with concern that the 1986 Constitution did not include sex as a prohibited ground of discrimination and that neither the Constitution nor other legislation embodied the principle of equality between women and men or contained a definition of discrimination against women, covering both direct and indirect discrimination, or extended to acts of both public and private actors. It recommended that Tuvalu amend section 27 (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; and enact legislation to enforce the prohibition of discrimination.²⁸

14. CEDAW was concerned that section 27 (3) (d) of the Constitution allowed discrimination in areas such as adoption, marriage, divorce, burial and landownership. It called upon Tuvalu to conduct a holistic review of its legislation; amend or repeal all discriminatory legislation, including the laws governing landownership; and close any legislative gaps. It encouraged Tuvalu to raise the awareness of legislators about the need to ensure de jure and de facto equality for women.²⁹

15. CEDAW expressed concern at norms, practices, traditions, patriarchal attitudes and deep-rooted stereotypes regarding the roles of women and men. It urged Tuvalu to eliminate cultural practices and stereotypes that discriminate against women; strengthen understanding of the equality of women and men; and enhance a positive and non-stereotypic portrayal of women.³⁰

16. CEDAW expressed concern about the disadvantaged position of women in rural and remote areas, particularly discriminating against them when accessing education, health care, employment and participation in decision making processes at the community level. It called upon Tuvalu to pay special attention to the needs of rural women by ensuring their participation in decision-making processes and access to, inter alia, health, education and employment.³¹

17. CEDAW was concerned that land ownership in Tuvalu was based on the communal family grouping (“Kaitasi”); and that land was inherited through male lineage. It recommended that Tuvalu ensure that men and women have equal access to land ownership.³² UNDP/UNAIDS noted that eldest sons were advantaged over daughters in relation to both land and important resource rights such as fishponds.³³

B. Right to life, liberty and security of the person

18. CEDAW expressed concern at violence against women, including domestic violence; at the fact that such violence would be accompanied by a culture of impunity; that traditional apologies were accepted as a form of resolution for such offences; at the lack of a comprehensive legal framework addressing all forms of violence against women; and at insufficient judicial recourse for victims, enforcement measures, victim services and protection. It urged Tuvalu to address and prevent all forms of violence against women; prosecute and punish offenders; provide services for victims; enact a comprehensive legal framework to encompass all types of violence against women; raise public awareness about violence against women; ensure that women and girls, who are victims, have access to means of redress and protection; implement training for the judiciary and public officials, particularly law enforcement personnel and health-service providers; establish a monitoring and evaluation mechanism; and enact the 2009 Police Powers and Duties Bill.³⁴

19. CEDAW was concerned that, under section 156 (5) of the Penal Code, any female of 15 years of age or above who allowed her grandfather, father, brother or son to have sexual intercourse with her shall be guilty of a felony and urged Tuvalu to repeal such section. It was also concerned at discriminatory provisions concerning prosecution and sentencing and at the fact that sentences for all sexual offences designated maximum but not minimum sentences and that marital rape was not prohibited under the Penal Code. It called upon Tuvalu to amend its legislative framework regarding sexual offences and include marital rape as a specific offence.³⁵

20. The UNDP Asia-Pacific Human Development Report indicated that there was a common practice called *moetolo* where a man creeps into the *fale* (traditional house) and rapes a woman, while others are sleeping or pretending to sleep. If the rapist is taken to court, the court may maintain that, if a woman was really being raped, someone would have taken action to stop it. Judicial officials often share a belief that the watchers refused to interfere because they thought that women’s role was to please men. In most cases, the man would only be charged with trespassing.³⁶

21. CEDAW was concerned that corporal punishment continued to be lawful in schools under article 29 of the Education Act (1976) and article 226 of the Penal Code and recommended that Tuvalu prohibit it.³⁷

C. Administration of justice and the rule of law

22. RO Pacific reported that concerns continued to be raised about access to justice in Tuvalu which had only a Magistrate's Court sitting in Funafuti and a High Court that sat only twice a year. The location of the High Court made it difficult for people from the outer islands to access, and increased the cost of justice. RO Pacific also noted that the appeal in the *Teonea v. Kaupule* case was the first appeal from the High Court, and the first time the Court of Appeal had been formed.³⁸

23. CEDAW was concerned at women's lack of access to justice and the difficulties they faced in obtaining redress in the courts, including due to lack of legal assistance. It encouraged Tuvalu to ensure that women have access to the courts on equal terms with men.³⁹

24. CEDAW was concerned that the judiciary did not provide guarantees of women's access to justice and that it did not allow women to bring cases before the national courts; and that Tuvalu lacked a comprehensive system for receiving complaints. It urged Tuvalu to set up a complaints system to ensure that women have effective access to justice.⁴⁰

D. Right to privacy, marriage and family life

25. CEDAW, concerned about a discriminatory provision in the Constitution affecting, in certain circumstances, the transmission of citizenship by Tuvaluan women to their children on the basis of equality with men, requested Tuvalu to amend without delay its legislation on nationality.⁴¹

26. UNHCR indicated that Tuvalu's Constitution (Part III) provided that children born in Tuvalu could only acquire nationality if one of their parents was also Tuvaluan. This means that if a child was born in Tuvalu to parents who were stateless or foreigners who were unable to pass on their nationality to the child, the child would be stateless. Tuvalu's Citizenship Act (Section 8) states that a Tuvaluan citizen cannot renounce his/her citizenship except if he/she has citizenship elsewhere or is renouncing for the purpose of obtaining citizenship elsewhere. This renunciation provision might also lead to statelessness in cases where nationals renounce their Tuvaluan nationality to acquire a foreign nationality but subsequently failed to acquire it.⁴²

27. UNHCR recommended that Tuvalu amend legislation to include a safeguard against statelessness that provides that children born in the territory, who would otherwise be stateless, acquire Tuvaluan nationality, and that nationals can only renounce their Tuvaluan nationality, if they possess or have an assurance to acquire a foreign nationality.⁴³

28. CEDAW was concerned about forced or arranged marriages, especially in the outer islands; and that the age of marriage was 16 years. It called upon Tuvalu to raise the minimum age of marriage to 18 years.⁴⁴

29. CEDAW was concerned that the dissolution of marriage left women and children in a vulnerable situation and urged Tuvalu to complete its reform of family law and ensure that spouses have the same rights and responsibilities both during marriage and in the event of its dissolution. It was further concerned at the failure of Tuvalu to enforce maintenance orders and invited the country to put in place legislative and other measures, including the review and amendment of existing laws, to guarantee the enforcement of maintenance orders.⁴⁵

30. CEDAW, concerned that the custodial rights of a child born out of wedlock would automatically be given to the father if he accepted paternity once the child was two years of

age, invited Tuvalu to amend section 20 of the Native Lands Act concerning custody over children born out of wedlock.⁴⁶

31. UNDP/UNAIDS indicated that colonization brought the introduction of laws that criminalized same-sex behaviour, particularly male-male sex. Although these laws have been repealed in some of common law countries, colonial indecency and sodomy laws remained in penal codes in most Pacific countries, including Tuvalu.⁴⁷

E. Freedom of religion or belief and expression, and right to participate in public and political life

32. RO Pacific noted that, under the Constitution, restrictions on the exercise of the right to worship and freedom of expression and information were permissible if their exercise was “divisive, unsettling or offensive to the people, or directly threaten Tuvaluan values and culture.”⁴⁸

33. RO Pacific indicated that the Court of Appeal met in September 2009 to hear the appeal from the judgement of the High Court in the *Teonea v. Kaupule*. In 2006, the High Court had ruled that the banning by the Nanumaga Kaupule (traditional island assembly) of the Brethren Church from coming and setting up a church in Nanumaga was not a violation of the freedom of worship. RO Pacific noted that the Nanumaga Kaupule had felt that allowing the church to come to Nanumaga would be divisive, unsettling and constituted a direct threat to the values and culture of the Nanumaga community. The Court of Appeal decided the 2003 resolution adopted by the Nanumaga Kaupule, whereby the establishment of churches on the island of Nanumaga was prevented, was unconstitutional.⁴⁹

34. UNESCO stated that defamation and libel remained a criminal offence under Part XIX of the criminal code and recommended that Tuvalu decriminalize defamation and subsequently incorporate it into the civil code in accordance with international standards.⁵⁰

35. UNESCO indicated that there was no freedom of information law and recommended that Tuvalu begin the process to introduce a freedom of information law to enable public information to be accessed easily and freely by the public in accordance with international standards.⁵¹

36. UNESCO stated that media self-regulatory mechanisms were not developed and that the State owned the only radio station, newspaper, and television station. It recommended that Tuvalu strengthen capacity in the field of journalism standards and ethics to develop the media self-regulatory mechanism both for media professionals and policy-makers.⁵²

37. While noting that the Constitution and electoral laws provided equal opportunities for men and women regarding political participation, CEDAW expressed its concern at the low levels of participation of women in public and political life, especially at the highest levels of decision-making, local government, including the decision-making bodies (Falekaupule) and island councils (Kaupules), the judiciary, corporate sector and statutory boards, international civil service and in religious life. It urged Tuvalu to increase the number of women in elected and appointed office at all levels, including in the diplomatic service; take temporary special measures to accelerate the increase of representation of women; highlight the importance of women’s full and equal participation in leadership positions; and empower women in the outer islands.⁵³

38. RO Pacific noted that, as of October 2011, there was only one female member in the 15-member Parliament.⁵⁴

F. Right to work and to just and favourable conditions of work

39. CEDAW expressed concern about the discrimination faced by women in employment, as reflected by the gender wage gap and occupational segregation and requested Tuvalu to ensure equal opportunities for women in the labour market; protect women from discrimination and exploitation; apply the principle of equal remuneration and equal opportunities at work; and encourage women to choose non-traditional fields of employment.⁵⁵

G. Right to social security and to an adequate standard of living

40. At the end of her 2012 mission, the Special Rapporteur on the human right to safe drinking water and sanitation recommended that Tuvalu adopt and implement a national water strategy and plan of action covering the entire population. She added that the strategy and plan of action should be devised, and periodically reviewed, on the basis of a participatory and transparent process and that a clear legal framework needed also to be put in place for the sector.⁵⁶

41. She welcomed the Draft Water Act as well as the Sustainable and Integrated Water and Sanitation Policy being developed and encouraged the Government to adopt these instruments as soon as possible in order to develop and put in place its water and sanitation management structure.⁵⁷

42. The Special Rapporteur highlighted that the school curricula included hygiene education in primary school, however, she was surprised to observe that a primary school in Tuvalu was not provided with sufficient soap and toilet paper and teachers often paid for soaps with their own money, so as to enable pupils to wash their hands namely after toilet use.⁵⁸

43. She added that the elaboration of all instruments must ensure an active and meaningful participation of civil society. She also called on the Government to ensure that greater pre-eminence was given to water and sanitation in the forthcoming Te Kakeega II for the next term.⁵⁹

44. The Special Rapporteur stressed that the current lack of a clear legal and institutional framework led to some challenges in the enjoyment of the human right to water and sanitation. Most of the budget allocated to water, sanitation and hygiene was donor funded. She added that it was crucial that Tuvalu took the lead in determining its priorities for the sector and integrating donors' initiatives into the Government's activities, in order to ensure greater sustainability of interventions and impact on the lives of Tuvaluans.⁶⁰

45. She recommended that access to water and sanitation be affordable to all, in particular to those who have a lower income. The price paid for water, sanitation and hygiene must not compromise access to other human rights such as food, housing or education. Innovative mechanisms, as the creation of a revolving fund, saving financial resources by harvesting more water from their government buildings, as well as the provision of targeted subsidies could help to support those families who lack the necessary resources to provide for these solutions.⁶¹

46. She also recommended that existing buildings be used to harvest more water for reserve and that legislation contain clear standards determining that when new building construction either by the Government or by donors, water harvesting systems were installed.⁶²

47. A UNICEF report indicated that the Government of Tuvalu declared a state of emergency in September 2011 after two atolls, including the capital Funafuti, ran out of

safe water supplies. While quick action by governments and partners ensured that children's health and safety were protected, each natural disaster was a step back to achieve the Millennium Development Goals.⁶³

H. Right to health

48. CEDAW was concerned that abortion was a punishable offence under Tuvaluan law and that this prohibition might lead women to seek unsafe and illegal abortions with consequent risks to their life and health. It recommended that Tuvalu remove punitive provisions imposed on women who undergo abortion and provide them with access to quality services for the management of complications arising from unsafe abortion.⁶⁴

49. CEDAW was concerned that women, particularly in the outer islands, experienced difficulties in accessing appropriate health care and that outer islands health centres were equipped to attend only to normal deliveries. It was concerned at the inadequacy of preventative health care; and at the decrease in the use of contraceptives and increase of teenage pregnancies and sexually transmitted infections. It was concerned that adequate attention might not be paid to all areas of health care, including mental health and services for those women who might need specialized care, such as disabled women and girls. It urged Tuvalu to address differential needs in the area of general health and the specific health needs of women; address the preventative health care, especially sexual and reproductive health care and enhance access to such services by women in the outer islands; and prevent teenage pregnancies and sexually transmitted infections by increasing knowledge about family planning, including contraceptives, and awareness of existing services.⁶⁵

50. CEDAW was concerned that women and girls might be particularly susceptible to HIV/AIDS infection due to gender-specific norms and recommended that Tuvalu address the impact of HIV/AIDS on women and girls; include a gender perspective in its HIV/AIDS policies and programmes; and undertake awareness-raising campaigns among Government personnel regarding prevention, protection and confidentiality.⁶⁶

I. Right to education

51. CEDAW commended Tuvalu for the free and universal primary education provision through the Education for Life programme and the achievement of high literacy rates.⁶⁷ However, it was concerned at the difference in access to education between urban and rural or remote areas; at the fact that the principle of equality of women and men had not been incorporated into the higher levels of the education system; and at the gender-specific fields of studies. It recommended that Tuvalu implement its Education for Life programme in order to achieve equal access of all girls to all levels of education; encourage women to pursue tertiary education and choose non-traditional fields of study; and set up a system to monitor school push outs and provide them with alternatives outside formal education, including vocational training.⁶⁸

52. UNESCO recommended that Tuvalu enshrine the right to education in its Constitution and adopt further measures (e.g. special laws) which aim to combat discrimination in education, protect minority groups, and promote gender equality.⁶⁹

J. Persons with disabilities

53. CEDAW noted that there was no social response or political framework for addressing the problem of disability for women other than family solidarity.⁷⁰

K. Migrants, refugees and asylum seekers

54. UNHCR noted that Tuvalu had been a State party to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol since March 1986, but it did not have implementing legislation, regulations or an operational framework for refugee status determination. It recommended that Tuvalu incorporate its obligations under the 1951 Convention into its legislative framework in order to provide a clearer basis for the international protection of refugees.⁷¹

L. Right to development and environmental issues

55. A UNDP document on the Pacific Adaption to Climate Change Project indicated that the physical location and topography of Tuvalu made it especially vulnerable to climate change-related risk, including sea level rise, drought and rise in sea surface temperature. Sea level rise ranked highly due to the unusually high King Tides that had been plaguing Tuvalu for a number of years, causing flooding of dwellings and intrusion of salt water into the freshwater lens. These events impacted adversely on food security, water, health and general living conditions of Tuvaluans.⁷²

56. UNHCR recognized that climate change posed a unique set of challenges for small island developing states, including Tuvalu and recommended that Tuvalu contribute actively to an international initiative to address the need for a more coherent and consistent approach to the protection of people displaced externally, i.e. across international borders, by sudden- and slow-onset disasters, including those triggered by climate change.⁷³

Notes

¹ Unless indicated otherwise, the status of ratifications of instruments listed in the table may be found on the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>. Please also refer to the United Nations compilation on Tuvalu from the previous cycle (A/HRC/WG.6/3/TUV/2).

² The following abbreviations have been used for this document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination;
ICESCR	International Covenant on Economic, Social and Cultural Rights;
OP-ICESCR	Optional Protocol to ICESCR;
ICCPR	International Covenant on Civil and Political Rights;
ICCPR-OP 1	Optional Protocol to ICCPR;
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty;
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women;
OP-CEDAW	Optional Protocol to CEDAW;
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
OP-CAT	Optional Protocol to CAT;
CRC	Convention on the Rights of the Child;
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict;
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography;
OP-CRC-IC	Optional Protocol to CRC on a communications procedure
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
CRPD	Convention on the Rights of Persons with Disabilities;
OP-CRPD	Optional Protocol to CRPD;

CPED International Convention for the Protection of All Persons from Enforced Disappearance.

- ³ Individual complaints: ICCPR-OP 1, art 1; OP-CEDAW, art. 1; OP-CRPD, art. 1; OP-ICESCR, art. 1; OP-CRC-IC, art.5; ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and CPED, art. 3. Inquiry procedure. OP-CEDAW, art. 8; CAT, art. 20; CPED, art. 33; OP-CRPD, art. 6; OP-ICESCR, art. 11; and OP-CRC-IC, art. 13. Inter-State complaints: ICCPR, art. 41; ICRMW, art. 76; CPED, art. 32; CAT, art. 21; OP-ICESCR, art. 10; and OP-CRC-IC, art. 12. Urgent action: CPED, art. 30.
- ⁴ 1951 Convention relating to the Status of Refugees and its 1967 Protocol.
- ⁵ Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention). For the official status of ratifications, see Federal Department of Foreign Affairs of Switzerland, at www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html.
- ⁶ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.
- ⁷ 1954 Convention relating to the Status of Stateless Persons and 1961 Convention on the Reduction of Statelessness.
- ⁸ Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III).
- ⁹ International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour; Convention No. 105 concerning the Abolition of Forced Labour; Convention No. 87 concerning Freedom of Association and Protection of the Right to Organise; Convention No. 98 concerning the Application of the Principles of the Right to Organise and to Bargain Collectively; Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 111 concerning Discrimination in Respect of Employment and Occupation; Convention No. 138 concerning Minimum Age for Admission to Employment; Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.
- ¹⁰ International Labour Organization Convention No.169, concerning Indigenous and Tribal Peoples in Independent Countries and International Labour Organization Convention No.189 concerning Decent Work for Domestic Workers.
- ¹¹ Concluding observations of the Committee on the Elimination of Discrimination against Women (CEDAW/C/TUV/CO/2), paras. 62 and 57.
- ¹² *Ibid.*, para. 57.
- ¹³ UNHCR submission to the UPR on Tuvalu, p. 4.
- ¹⁴ UNESCO submission to the UPR on Tuvalu, paras. 40-41.
- ¹⁵ CEDAW/C/TUV/CO/2, para. 12.
- ¹⁶ *Ibid.*, para. 7.
- ¹⁷ *Ibid.*, para. 23.
- ¹⁸ *Ibid.*, para. 24.
- ¹⁹ *Ibid.*, para. 18. See also paragraph. 17.
- ²⁰ *Ibid.*, para. 6.
- ²¹ *Ibid.*, para. 20.
- ²² *Ibid.*, para. 26.
- ²³ *Ibid.*, paras. 17-18. See also paragraph. 21.
- ²⁴ The following abbreviations have been used for this document:
 CEDAW Committee on the Elimination of Discrimination against Women;
 CRC Committee on the Rights of the Child.
- ²⁵ CEDAW/C/TUV/CO/2, para. 63.
- ²⁶ For the titles of special procedures, see www.ohchr.org/EN/HRBodies/SP/Pages/Themes.aspx and www.ohchr.org/EN/HRBodies/SP/Pages/Countries.aspx.

- 27 OHCHR Management Plan 2012-2013, p. 181.
- 28 CEDAW/C/TUV/CO/2, paras. 13-14. See also paragraph 15.
- 29 Ibid., paras. 15-16.
- 30 Ibid., paras. 27-28.
- 31 Ibid., paras. 47-48.
- 32 Ibid., paras. 47-48.
- 33 UNDP/UNAIDS, *Enabling Effective Responses, HIV in Pacific Island Countries, Options for Human Rights-Based Legislative Report*, Suva, Fiji, 2009, p. 65, available at http://www.undppc.org.fj/_resources/article/files/LowRes_3011.pdf.
- 34 CEDAW/C/TUV/CO/2, paras. 29-30.
- 35 Ibid., paras. 31-32.
- 36 Asia-Pacific Human Development Report: *Power, Voice and Rights, A Turning Point for Gender Equality in Asia and the Pacific*, UNDP Regional Centre for Asia and Pacific, Colombo, Sri Lanka, 2010, p. 116.
- 37 CEDAW/C/TUV/CO/2, paras. 39-40.
- 38 OHCHR, Regional Office for the Pacific, *Human Rights in the Pacific – Country Outlines 2012*, p. 116, available at http://pacific.ohchr.org/docs/HR_Pacific_v7_July_25.pdf.
- 39 CEDAW/C/TUV/CO/2, paras. 17-18. See also paragraph 21.
- 40 Ibid., paras. 21-22.
- 41 Ibid., paras. 37-38.
- 42 UNHCR submission to the UPR on Tuvalu, pp. 3-4.
- 43 Ibid., p. 4.
- 44 CEDAW/C/TUV/CO/2, paras. 51-52.
- 45 Ibid.
- 46 Ibid.
- 47 UNDP/UNAIDS, *Enabling Effective Responses, HIV in Pacific Island Countries, Options for Human Rights-Based Legislative Report*, Suva, Fiji, 2009, p. 76, available at http://www.undppc.org.fj/_resources/article/files/LowRes_3011.pdf.
- 48 OHCHR, Regional Office for the Pacific, *Human Rights in the Pacific – Country Outlines 2012*, p. 116, available at http://pacific.ohchr.org/docs/HR_Pacific_v7_July_25.pdf.
- 49 Ibid.
- 50 UNESCO submission to the UPR on Tuvalu, paras. 36 and 46.
- 51 Ibid., paras. 37 and 47.
- 52 Ibid., paras. 38 and 48.
- 53 CEDAW/C/TUV/CO/2, paras. 35-36.
- 54 OHCHR, Regional Office for the Pacific, *Human Rights in the Pacific – Country Outlines 2012*, p. 115, available at http://pacific.ohchr.org/docs/HR_Pacific_v7_July_25.pdf.
- 55 CEDAW/C/TUV/CO/2, paras. 41-42.
- 56 Press Statement by the United Nations Special Rapporteur on the human right to safe drinking water and sanitation – Mission to Tuvalu – 19 July 2011.
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- 67 Ibid., para. 8.
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- 70 CEDAW/C/TUV/CO/2, para. 49.
- 71 UNHCR submissions to the UPR on Tuvalu, p. 3.

- ⁷² UNDP Project Document Global Environment Facility: Pacific Adaption to Climate Change PACC), January 2009, p. 47, available at <http://www.undp.org.ws/Portals/12/What%20We%20do/Climate%20change%20and%20environment%20energy/Regional-PACC/PACC-Prodac.pdf>.
- ⁷³ UNHCR submissions to the UPR on Tuvalu, pp. 1-2.
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