United Nations A/HRC/WG.6/44/TUV/1

General Assembly

Distr.: General
2 November 2023

Original: English

Human Rights Council
Working Group on the Universal Periodic Review
Forty-fourth session
6–17 November 2023

National report submitted pursuant to Human Rights Council resolutions 5/1 and 16/21*

Tuvalu

* The present document is being issued without formal editing.

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1. The government of Tuvalu submitted its first national Universal Periodic Review (UPR) report to the Human Rights Council in 2008 followed by its second report in 2013 and third in 2018. Tuvalu despite its limited resources continuously worked towards the implementation of the agreed recommendations and commitments through its government ministries, and in collaboration with non-governmental organizations and civil society including faith-based organizations. It continues to face a lot of barriers in the implementation of the agreed recommendations including due to the devastating impacts of the climate crisis, which has further limited financial and technical resources available. Events such as the COVID-19 pandemic and the frequent droughts prompted delay in the implementation of the agreed recommendations. While challenges remain, the Government of Tuvalu remains dedicated and was able to incrementally progress with its implementation of the agreed recommendations since its last national reporting.

2. This report responds to recommendations from the third national report submitted to the Human Rights Council in 2018. It articulates and narrates what has been progressively achieved respective of the strengthening and protection of human rights and more importantly it outlines the ongoing challenges faced in the implementation of these recommendations.

I. Methodology and process for preparing the report

A. Methodology for preparing the report

3. The Department of Foreign Affairs, as lead agency for the UPR national report in pursuit of its role of facilitation and coordination, revived the last UPR Working Group comprising representatives from the Office of the Attorney General, Department of Foreign Affairs itself, Ministry of Health, Social Welfare and Gender, Education. the Police services, Judiciary and Department of Climate Change. The representatives were chosen given their related areas of expertise and mandates, and more importantly, in relation to being focal authorities for the implementation of other conventions that Tuvalu has ratified. Scheduled meetings and consultations with stakeholders and the Working Group were arranged to discuss strategies on the best way forward to compile the report. The Working Group conducted several meetings thereafter and shared the internal draft to members for comments and any additional data or information, which were added to the national report.

B. National follow-up process for implementation and reporting

4. Since the last reporting cycle, the Government has not established a formal National Mechanism for Implementing Reporting and Follow up committee (NMIRF). However, with the assistance of past members of UPR working group, the Department of Foreign Affairs, held media awareness on the recommendations from the last Report. They also held meetings with relevant stakeholders to formulate strategies on the way forward in responding to these recommendations.

II. Implementation of recommendations from the previous UPR cycle

A. Human rights frameworks

1. National frameworks

Constitutional and legislative framework

5. Since November 2016, Tuvalu has conducted a review of its Constitution to address internal political concerns that had prompted the government to consider a revision of the Constitution. To complete this review, a Constitutional Review Parliamentary Select Committee was formed during the July 2020 Parliament session comprising members of

Parliament. In the first Parliament session earlier this year, the Constitution Bill was tabled for its first reading followed by its second and final reading in a special Parliament session in September 2023. The new Constitution came into force on the 1st October 2023.

Meaningful participation of all citizens of Tuvalu in process of constitutional revision

6. In general, it is a statutory requirement that all laws to be made or revised be procedurally consulted to ensure the meaningful participation of all citizens of Tuvalu. Where consultations are conducted in the capital or each of the 8 outer islands, at times there are live streams broadcast simultaneously arranged to ensure it reaches out to Tuvaluans in the country and those abroad. To enable the full participation of all citizens, consultations are rolled out to the 8 outer islands of Tuvalu where all citizens are invited to attend to voice their views or concerns around the law to be made or revised. Should rolling out of consultations incur challenges like the unreliability of shipping services or natural effects, virtual meeting platforms are pre-arranged with the outer islands to enable citizens dispersed remotely to fully participate in a scheduled consultation.

7. The methodology used in this constitutional review is an inclusive approach to ensure that the constitutional review reaches all communities, minority groups, and all sectors in Tuvalu. Consultations were held with various sectors, communities, and model parliaments where students from the two secondary schools debated all the issues raised in the review. Consultations were also held with communities on Funafuti, including civil servants. Radio programs were also carried out. The Constitutional Review Committee also travelled for the second time to the outer islands to consult with communities. In addition, this constitutional review also used data collected by previous administrators as part of collective efforts to revise the Constitution. The main goal of this constitutional review is to leave no one behind.

8. The ‘Te Kete’ is the Government of Tuvalu’s National Strategic Plan 2020 -2030 that focuses on sustainable development, poverty reduction, and improving the quality of life for all Tuvaluans. The Human Rights Policy complements these objectives by ensuring that development efforts are carried out in a manner that respects and protects the rights of individuals and communities, includes the principles of the human rights-based approach. Overall, the Human Rights Policy of Tuvalu, and National Strategic Plan ‘Te Kete’ truly demonstrates the country’s commitment to promoting and protecting human rights as an integral part of its development agenda. It recognizes the importance of inclusive and sustainable development that leaves no one behind and ensures that all individuals in Tuvalu can enjoy their fundamental rights and freedoms.

Establishment of National Mechanisms for Monitoring, Reporting and Follow-Up (NMMRF)

9. The Government of Tuvalu has not established a formal National Mechanism for Monitoring, Reporting and Follow-Up (NMMRF) since the last reporting cycle. It is however work in progress that the government and UPR Ad-hoc working group are considering establishing, given other competing priorities and allocation of resources needed.

National Action Plan to strengthen the implementation of international human rights obligations

10. The Tuvalu National Human Rights Action Plan 2016-2020 captures Tuvalu’s existing commitments under Human Rights Treaties to which it is a State party. It also endeavours to consolidate the government’s obligations in ensuring a strategic and coordinated approach to delivering government’s commitment in the protection and realisation of human rights in Tuvalu.

11. Tuvalu realises the challenges that come with implementing the various commitments under the National Action Plan. Therefore, in its efforts in reviewing the 2016-2020 Plan, consideration of lessons learnt from the implementation of the previous Plan is crucial for the improvement of the new Plan that is progressively realised.

National Human Rights Institution

12. The National Human Rights Institution of Tuvalu Act 2017 establishes the National Human Rights Institution by extending the functions of the Ombudsman established under the Leadership Code Act 2006. The purpose of the Act is to recognise, respect, protect and fulfil the dignity of humankind enshrined in the Constitution and international human rights law, sustaining the foundation of a fair, just and sustainable and peaceful society.

13. Given the resignation of the recent Chief Ombudsman, the institution has not been operating as expected and staff turn over has been one of the main challenges of having the institution operate properly. The Government is progressively realising the need to have the Office fully fledged and is a work in progress.

Establish an ombudsman as mechanism for reception of complaints of human rights violations by state agents

14. The Ombudsman Office is legally established under the Leadership Code Act 2014. It has the following functions and powers: (a) to enquire into any complaints or allegation of misconduct on the part of any leader; (b) to enquire into any defects in administrative practice appearing from any matter being investigated; (c) to enquire into any case of an alleged or suspected discriminatory practice by a leader; (d) to give prior advice on potential breaches of this Code; (e) to investigate and report on any complaints of any alleged breaches of this Code.

15. Additionally, the Ombudsman is required to comply with directions given or made under the Code but otherwise is not subject to direction or control by any other person or authority. As the national human rights institution of Tuvalu, the Ombudsman is mandated to inquire into alleged violations of human rights including investigation, reporting on widespread systematic or entrenched acts or practices which allegedly violate human rights in Tuvalu.

2. International frameworks

16. Consideration of any international conventions, including human rights conventions, requires thorough and widespread awareness raising on the details of the convention, with technical and legal expertise to impart knowledge about the convention to relevant stakeholders. This is an important process prior to cabinet and parliament endorsing ratification of such convention in the context of Tuvalu. Notably, the ratification of any convention requires endorsement by cabinet and parliament. Therefore, prior knowledge of the advantages and disadvantages of the convention is crucial for decision making at the political level.

17. Tuvalu ratified three human rights conventions, namely the Convention on the Rights of the Child (CRC) in 1995, CEDAW in 1999 and CRPD in 2013. In becoming a party to these Conventions, Tuvalu affirmed its commitment to improving the status of human rights nationally. These conventions that the Government is a party to have been used to make progressive changes to ensure that all these rights are included in national initiatives and more significantly, that inclusiveness and equality is imbedded in the work of government and stakeholders' key activities and initiatives.

Ratification of Optional Protocol to CRC on sale of children, child prostitution and child pornography

18. To date, Tuvalu has not ratified the OPSC to the CRC. However, as a State party to the CRC, the government has nationally committed to the prohibition of the sale of children, child prostitution and child pornography. While there is no legislative framework in place specifically regulating the prohibition of the sale of children, child prostitution and child pornography, however the Labour and Employment Relations Act provides for the prohibition of the worst forms of child labour and forced labour. Section 46 of the Act provides for the prohibition of prostitution, the production of pornography or for pornographic performances as a worst form of child labour and any person who uses, procures or offers a child for these purposes commits an offence and shall be liable on conviction to a term of imprisonment not exceeding 10 years.

19. In 2016 Cabinet approved for the ratification of the Optional Protocol to the CRC on the sale of children, child prostitution and child pornography and the Optional Protocol to the CRC on a communications procedure. With this approval, nationwide consultations were carried out in 2017 to all communities (including the outer islands) on the Optional Protocol to the CRC on the sale of children, child prostitution and child pornography, and the Optional Protocol to the CRC on a communications procedure.

Ratification of the International Convention on the Protection of the Rights of all Migrant workers and members of their Families and of the Convention Against Torture

20. The Government of Tuvalu is considerably realising the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and members of Their Families, due to the high internal migration (primarily to the capital Funafuti) and international migration of Tuvaluans in search of employment opportunities.

Ratification of Optional Protocol to CEDAW

21. Tuvalu is slowly progressively implementing its CEDAW obligations that require national processes to be undertaken in light of the limited resources available and other challenges. Currently the priority of the Government is on implementing its commitments and obligations under the Convention and will progressively realise the ratification of the OP to CEDAW as work in progress.

Ratification of Optional protocols to CRC, CRPD and to the Hague Conventions on inter-country adoptions

22. To date, the Government of Tuvalu is yet to ratify the OP to the CRPD. In Tuvalu's initial CRPD report submitted in 2018, while acknowledging that Tuvalu had not made any reservations on the OP, the Ministry of Education and the Office of the Attorney General are considering further consultations to fully discuss the ratification of the OP-CRPD. However, natural events such as Covid- 19 and droughts had put the country in a state of emergency rendering it impossible to hold consultations on the 8 outer islands. In line with national processes, cabinet's endorsement is required before commitment is made. While this is progressively realised, Tuvalu is also cautious in committing to additional obligations noting its limited resources.

Ratification of ILO Worst Forms of Child Labour Convention, 1999 (No. 182)

23. As a member state of the ILO since 2008, Tuvalu has now ratified the second ILO Convention with a view in advancing fundamental rights at work. On 11 June 2019, the Government of Tuvalu deposited with the International Labour Office the instrument of ratification of the Worst Forms of Child Labour Convention. Ratification of the Convention illustrates the Government's commitment to protect its children form the worst forms of child labour including slavery, forced labour and sale and trafficking of children, as well as the use of children for prostitution, pornography and in illicit activities and hazardous types of work.

24. In progressively committing to its obligations under this Convention, the Government enacted the Labour and Employment Relations Act 2017. The Act provides for fair labour standards, supports productive employment relationships and gives better effect to fundamental conventions of the ILO. PART 3 of the Act provides for the employment of young person's setting out the minimum age of employment, minimum age for light work and the minimum age for hazardous work. PART 4 of the Act contains the prohibition of the worst forms of child and forced labour.

B. Cross cutting issues

1. Equality and non-discrimination

25. The Government respective of its obligations under the human rights Conventions that it has ratified necessitates itself to promote and ensure the full realization of all human rights and fundamental freedoms for all persons without discrimination of any kind. This is evident

with the passage of the 2023 Constitution that provides among others, for the prohibition of discrimination on the basis of sex and disability.

26. In relation to labour and employment the relevant Act provides for equal employment opportunities and the prohibition of discrimination in respect of recruitment, training, promotion, terms and conditions of employment, termination of employment and other matters arising out of the employment relationship. Prohibition on the grounds of sex, gender and disability are emphasised in the Act as grounds for non-discrimination among others.

2. Right to development

Implementation of the National Strategy for Sustainable Development

27. Tuvalu's development priorities are embedded in its National Strategy for Sustainable Development 2021-2030 "TE KETE", which is the blueprint for the government's action on improving the quality of life of the people of Tuvalu. TE KETE literally means a basked in Tuvaluan and it symbolises the means (repository) by which we store and preserve traditional knowledge and wealth that transcends space and time to be utilised to support our daily needs and wellbeing whilst simultaneously building a resilient future.

28. There are five strategic priority areas enshrined in TE KETE namely, 1. Enabling environment, 2. Economic development, 3. Social development, 4. Island and culture development, 5. Infrastructure development. These priority areas have their own prescribed goals and national outcomes.

29. TE KETE is regarded as a platform upon which Tuvaluans are able to overcome the socio-economic challenges and environmental crisis in the spirit of the new normal that Tuvalu is experiencing. It is a high-level planning and result oriented strategic plan, which government and all stakeholders are truly committed to its execution to realise noble results. The goal envisioned in *TE KETE* is for a 'sustainable economy where equitable distribution of wealth through comprehensive review and effective implementation of tariffs, taxes and traditional sharing norms, job creation and income generation opportunities are achieved.

30. In pursue of implementing *Te Kete*, Government line Ministries are required to align all their corporate plans and workforce plans with *TE KETE* in all relevant sectors. While the Government is ambitiously implementing the strategic priority areas of *Te Kete*, it is also mindful of the challenges that comes with it.

3. Environmental issues

31. Tuvalu faces challenges to its natural environment exacerbated by climate change, coastal erosion, salt water intrusion and increasing vector and water borne diseases due to sea level rise as a major threat. In Tuvalu's efforts to adapt and build resilience, a lot of work is in progress nationally, regionally and internationally at the political and technical (official) level to advocate for Tuvalu's firm stance to mitigate the devastating impacts of climate change.

32. Under *TE KETE* (National Strategy for Sustainable Development), lists 'Enabling Environment' as the first strategic priority area. Under national outcome four, 'Climate Change and Disaster Resilience', the government seeks to ensure a greater degree of security not only from climate change but also disaster by increasing its adaptive capacity through increased level of financing from global climate funding sources and high-tech innovative development measures. Under its national outcome five, 'Environment, Meteorology, Land and Waste Management Strengthened', the Government seeks to enhance the performance of this institutions through greater scientific, technical and financial support throughout the plan period.

33. Tuvalu launched its National Climate Change Policy 2020-2030, *Te Vaka Fenua o Tuvalu*, which national priorities set out in the National Strategy for Sustainable Development 2021-2030 Te Kete. As part of its adaptation strategies to rising sea levels and the resultant food and water insecurity, the government is investing in projects to grow food crops in raised gardens and building water storage to catch and store rainwater.

34. Tuvalu has a national disaster committee mandated to provide support to all people at times of crises. The National Disaster Relief Coordination Unit (NDRC) under the Climate Change and Disaster Policy Unit is responsible for incorporating disaster risk reduction into sector policies and programmes. Tuvalu has established a local financing mechanism called the Tuvalu Survival Fund (TSF) to finance recovery and rehabilitation from climate change impacts and natural disasters. The Government has a national Disaster Risk Reduction strategy with specific provisions for addressing the displacement impacts of disasters and we launched Tuvalu Agriculture Strategic Marketing Plan (TASMP) 2016-2025 to increase the resilience of the Tuvalu people in relation to climate change by fostering a sustainable domestic trading platform for local food and other local produce, mainly traditional handicrafts.

C. Civil and political rights

35. Tuvalu ratified three human rights convention namely the Convention on the Rights of the Child (CRC) in 1995, CEDAW in 1999 and CRPD in 2013, each of which either directly or indirectly recognizes economic, social and cultural rights, civil and political rights. Government is aware of the importance of taking a progressively more universal approach to recognize these rights for all Tuvaluans through the ratification of the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the International Covenant on Civil and Political Rights (ICCPR). The Government is also aware that the ratification of these two core human rights instruments may consolidate to guarantee so many human rights threatened by the effects of climate change which Tuvalu holds dear to its heart due to its vulnerability to the effects of climate change. However, while Tuvalu does realise the importance of these conventions, it will progressively in due course ratify accordingly. Currently, Tuvalu is also mindful of its limited resources and capacity that may interfere with its obligations should it ratify now.

1. Right to life

36. The new Tuvalu Constitution 2023 makes provisions for the protection of fundamental rights and freedoms in Part II and includes protection of the right to life, protection of the right to personal liberty, protection from slavery and enforced labour. However, the underlying guiding principles are strongly vested in Christian principles, Tuvaluan values and culture, the Rule of Law and human dignity.

37. Tuvalu makes no provisions to the death penalty whereas the Constitution Review Committee's Report made no reference to any discussion from the consultation on the issue of the death penalty. The Tuvalu courts however had placed an emphasis on the "primacy of the right to life" and such was emphasised in the case of Regina v Pato Selulo HC of Tuvalu in 2003, there was intention to kill and the defendant is currently serving a life imprisonment sentence.

38. The recent case of R v Siolilo Faleni was a first for Tuvalu where the defendant was acquitted after an application for a no case to answer after the Prosecution closed its case. The clear statement made by Justice Sir Muria that in the absence of no clear evidence linking the defendant to the cause of death, it would be a matter of speculation. There has been an amendment to the Constitution separating the Office of the Director of Public Prosecution from the Office of the Attorney General with the objective to separate the work of the DPP office, free from political influence with a budget that have priorities to discharge effectively the work undertaken by prosecution. The obligation on the Prosecution and Police to prove their cases is a key component to safeguard any right to life is an investment in the legal ability of the prosecution to exercise and emphasise on.

2. Right to liberty and security of the person

39. Section 17 of the Constitution provides legal safeguard of human life and liberty with focus on the grounds and purposes of lawful detention. Reference to a person's right to the protection of law is covered under section 22 (2)- (6) including the right to legal representation, to medical examination and the right to notify the legal guidance in the case

of children. Laws that prohibit inhuman treatment of persons, including torture or the giving of inhuman or degrading punishment or treatment, compliment section 19 of the Constitution.

40. Tuvalu does not have specific cases. However, the appeal case of R v Alfred [2022] TVHC 7 was a case of unlawful and unreasonable detention of the Respondent by authorities exercising discretions under the Immigration Act and the Police Powers and Duties Act for Tuvalu. Justice Sir Muria upheld the decision in the Senior Magistrate Court with emphasis on the difference between an arrest and the detention, the procedures to detain a person who is arrested and the fact that the exercise of the Court's power under the Criminal Procedures Code section 300 (1) (b) was correct given the police's illegal and improper detained of the respondent for a lengthy period of at least one year and eleven months.

41. The new Constitution provides specific recognition of rights to Tuvaluan values and customs, and Christianity. The recognition of minority groups in Tuvalu is not discouraged though the concepts of Tuvalu traditions and customs are significant and upheld. With the right to expressions is recognised in the Constitution it serves to demonstrate a commitment for Tuvaluans to freely express their viewpoints and standing in their communities and societies.

42. It is Tuvalu's obligations under international treaties it has ratified, including CRC, CRPD and CEDAW, to make available to the public practical information and the promotion of access to justice under these international conventions. The Judiciary of Tuvalu has been conscious of its significant role to address standing barriers that are often raised through cases, the expansive approaches used by courts is to ensure that rights of parties are recognised and issues evaluated and remedial to mitigate lacking in oversight or in accessing justice.

3. Administration of justice and rule of law

43. The strength of administration of justice and rules of law institutions in Tuvalu are founded in the laws and the implementation processes of democratic governance. Institution such as the Office of the People's Lawyer and the Auditor General, and the judicial system avail to the people access to justice providing legal representation, auditing oversight and judicial court services. The Office of the People's Lawyer, although have only three legal officers to date (with another three vacancies not yet filled) but continue to provide legal support to the public. By law, a suspect who is arrested or detained has the right to legal representation from that moment, and the Office of the People's lawyer by practice has been attentive at a very early stage and addressed issues swiftly. Also, a suspect who has been deprived of liberty is given the opportunity to be represented and the courts pay attention to all procedural issues raised at a later stage by the legal representative of the suspect or the accused. The priority concern now is to ensure that there are more qualified legal practitioners to support legal needs of the general public.

44. The new constitutional provisions give encouragement for the access and standard of health care for persons in police custody. The courts have demonstrated through rulings and judgements the need for observation of standard procedures. Amendments in the Constitution provide legal safeguard of human life and liberty especially the right to legal representation, to medical examination and right to notify an adult or the legal guardian in the case of children.

45. Section 22 of the Constitution encourages for prompt and thorough investigation, and the perpetrators to be brought to justice whereas victims to have access to effective rules of protection and assistance services. With no reported incidents of torture while in custody, Tuvalu Police Services and the new office of the DPP have merged the Police Prosecution unit to come under supervision of the DPP with focus on compliance with procedures under the relevant laws and regulations. Both teams have an understanding that all investigations conducted by police are scrutinised and cross-checked for proper handling of cases, that entries in the logbooks and details are kept available and be readily available and be acceptable evidence in a court of law in particular allegations against police in on torture, inhuman treatment of, or degrading treatment while under police custody or in remand.

46. Tuvalu is at the last phase of consultations ready to ratify and accede to the United Nations Convention against Torture with assistance provided by UNDP.

4. Participation in public and political life

47. Tuvalu continues to encourage for the full participation of its citizens in public and political life through constitutional amendments, policy interventions including new regulations. The objective of the constitutional amendment is to give legal recognition to the Falekaupule, the traditional decision-making system where consultations are open and decisions are based on communal considerations and leadership. With this traditional systematic approach, there are more opportunities at all levels of the Tuvalu society to take ownership of matters and contribute to their welfares.

48. The restoration of justice in Tuvalu is visible, there were cases of banishments and restrictions due to traditional beliefs and leadership and partial resolutions that are harmful towards the full participation of Tuvaluans in public and political life. The recent judicial reform offers a range of benefits beyond the complete resolution of disputes, but prioritise for the promotion of open dialogue, direct participation of those who have powers to make changes, to hold people accountable for whatever harm that others have suffered. The judicial reform builds on strong reputation for independence and impartiality through a system that is open and a creation of both- customary and legal justice. The translation is that people will feel that justice has been done, they have their day in court and there is little or no compromise because they have the support of the courts to be parties as well participants in meaningful dialogues and ADR (Alternative Dispute Resolution) recipients of their own making. These judicial reform restorative practices and approaches envisaged for a Tuvalu that hold high trust for the rule of law, a more confident, cooperative and productive population that fully participate in their communities and societies.

5. Prohibition of forced labour, trafficking and all forms of slavery

49. Tuvalu has joined forces globally to end child labour, forced labour, modern slavery and human trafficking, towards the attainment of target 8.7 of the SDGs, which calls on all to take immediate and effective measures to ensure the prohibition of the worst forms of child labour, the eradication of forced labour, and by 2025, to end of child labour in all its forms.

50. The Tuvalu Constitution 2023 makes provision under section 18 for the protection of fundamental rights and freedoms and includes among others, the prohibition of forced labour and protection from slavery. The Penal Code of Tuvalu under section 44 also criminalises kidnapping or the abduction of any person in order that such person may be subjected or may be disposed of as to be put in danger of being subjected to slavery. Slavery may also form an element of an offence of trafficking under section 67 and 68 of the Counter Terrorism and Transnational Organised Crime Act. The prohibition of forced labour is also enshrined under section 48 of the Labour and Employment Relations Act, which criminalises a person who extracts, procures or engage forced or compulsory labour. Under the Act, “Forced or Compulsory Labour means any work or service that a person is required to do under threat of any penalty. In terms of the prohibition of force labour on children, Part 4 of the Act expressly discusses that and makes it a criminal offence.

D. Economic, social and cultural rights

51. Tuvalu and its people have gradually realized that the reality of this concept ‘human rights’ is manifested in their daily needs, which encompasses all human rights such as the right to life, education, health adequate standard of living, social security and even cultural rights. Tuvalu also remains considerate of the 17 Sustainable Development Goals (SDGs), which is a shared blueprint for peace and prosperity for people and the planet, now and into the future, for both developed and developing countries. Tuvalu remains in solidarity embracing this global partnership embarking on an urgent call for action to end poverty and other deprivations that must go hand in hand with strategies that improve health, education, reduce inequality and enhance economic growth. To honour the SDG aspirations at the national level, Tuvalu’s development priorities are embedded in its National Strategy for Sustainable Development 2021- 2030 “TE KETE”, which is the blueprint for the government’s action on improving the quality of life of the people of Tuvalu. While the TE-KETE is written in terms of sustainable development, most of the aspirations within this key

government document considers its commitment to the human rights conventions and SDGs to which certain strategic priority areas focus on economic, social and island and cultural development.

52. TE KETE is regarded as a platform to improve the economic and social wellbeing of all Tuvaluans ensuring that no one will be left behind regardless of island, gender, physical and intellectual capability and social and economic status. In terms of economic development, the goal envisioned in the TE KETE is for a 'sustainable economy where equitable distribution of wealth through comprehensive review and effective implementation of tariffs, taxes and traditional sharing norms, job creations and income generation opportunities shall be achieved'. For social development, the goal is focused on 'achieving a healthy, educated, appropriately skilled, spiritual and cultural value-based society that is committed, proactive and innovative'. In terms of island and cultural development, the goal is to 'build a vibrant and resilient island communities enhanced by the protection and promotion of Tuvalu's unique cultural heritage for sustainable livelihoods. To meet these goals, greater priority had to be given for the realization of improving the protection and promotion of economic, social and cultural rights. These sets of rights include the right to work and to just and favourable conditions of work, right to social security, right to an adequate standard of living, and the right to health and education.

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

53. The right to work and its promotion of more and better jobs is a central element that cuts across many of the SDGs with SDG 8 at its core. TE- KETE embraces SDG 8 as it is regarded as a platform to improve the economic and social wellbeing of all Tuvaluans ensuring that no one will be left behind. To promote the right to work and to a just a favourable condition of work, labour laws and policies have been developed to reflect the reality of the working life for all Tuvaluans and in particular to echo the economic and social aspirations of all its people.

54. The Labour and Employment Relations Act 2017, was enacted to provide for fair labour standards, support productive employment relationships and give better effect to fundamental conventions of the International Labour Organisation. The Act applies to all employees and employers in all workplaces in Tuvalu and allows for equal employment opportunities prohibiting discrimination. Part 5 discusses equal employment opportunities, directing employers not to discriminate against any employee in respect of recruitment, training, promotion or terms of conditions of employment or termination, or other matters arising out of the employment relationship, for a prohibited reason. Prohibited reason of discrimination are amongst others includes sex, gender, age, state of health, disability, race, colour, social and economic class etc. Part 6 of the Act provides for occupational safety and health mandatory requiring employer(s) to provide and maintain in so far practicable a working environment for employees that is safe and without risks to health.

55. Overall, the labour market in Tuvalu can be segmented into six broad categories, namely government employment (civil service), public corporations, private sector (formal cash sector), subsistence employment (informal sector employment), offshore maritime employment, and other offshore employment. For trade in services, labour mobility and migration are key to the system of remittances underpinning Tuvalu's economy and maintaining family ties. The Government continues to explore different labour migration opportunities through bilateral and multilateral engagements. Identifying new sectors for labour mobility also entails moves towards developing e-commerce preparedness and digital trade in services which are efforts that will benefit local business and the economy and overcome the traditional problem of Tuvalu's "geographic remoteness".

56. Due to the high internal migration (primarily to the capital Funafuti) and international migrations of Tuvaluans in search of employment opportunities due to the effects of climate change, consideration of ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of their families is currently being considerably realised by the Government.

2. Right to social security

57. The Government of Tuvalu has been progressively developing policies and programmes designed to reflect social security or social protection. Tuvalu's National Provident Fund (TNPF) Office is the superannuation fund with activities under the fund as enshrined in its TNPF Act include, to receive and collect contributions, invest monies for the benefit of members, process members request for withdrawals and to manage certain benefits such as retirement benefits and pension. The Social Welfare Department under the Ministry of Health of Tuvalu also provides social welfare benefits for the elderly and persons with disability. A range of social protection systems during times of state emergencies or threat of emergencies are available for instance, short term cash benefits to those who were affected by the Covid-19 crisis.

3. Right to adequate standard of living

58. Despite various challenges such as the effects of climate change, limited resources including land space, natural events like droughts etc, the government of Tuvalu is determined in ensuring that at a minimum, every Tuvaluan shall enjoy the necessary subsistence rights, adequate food and nutrition, clothing, housing and necessary conditions of care when required. In more simple terms, the Government of Tuvalu endeavours to ensure that its citizens live above the poverty line and enjoy their basic needs to conditions of dignity. Aligned with SDG1 – to end poverty in all its forms, TE-KETE presents the visions of a peaceful, resilient and prosperous Tuvalu charging all citizens that each have a role to play in achieving its national vision. Built on five strategic priority areas namely, (1) Enabling Environment, (2) Economic Development, (3) Social Development, (4) Island and Culture Development, and (5) Infrastructure Development. TE-KETE is the platform upon which the Tuvalu people are to overcome the socio-economic challenges and environmental crisis that feeds poverty.

59. Number of initiatives and projects are now in operation in the capital of Tuvalu with Government's vision in providing an adequate standard of living for its people. Strategic priority area 5 of the TE-KETE focus on renewable energy, resilient housing, national shipping and water supply. These priorities align to SDG 6 on Clean Water and Sanitation and renewable energy aligns to SDG 7 on affordable clean energy.

60. Government policies and laws are being developed to enable buildings and housing to be cyclone and climate change proof like the National Building Code 2021 for Tuvalu. The basic objective of the Code is to ensure that the acceptable standards of structural sufficiency, fire safety, health and amenity, are maintained for the benefit of the Tuvalu community now and in the future. Further, in terms of residential housing, there are existing policies in place to ensure that the Tuvalu public service is provided with housing. For instance, the National Housing Policy has been developed and occasionally reviewed whereby all public servants are entitled to government housing and subsidized monetary value are available should lack of government housing incur private tenancy rentals by civil servants.

61. In terms of the initiative to guarantee access to water and sanitation for all, number of projects are now operational in the capital with the initiative to guarantee access to water and sanitation for all. Procurements of four desalination plants and two other bigger desalination plants under donor partner funding is an initiative to get the people clean water. Also, a project housed under Public Works Department deals with sanitation on the island. This is all part of the initiative to get access to clean water and sanitation. The government also intends to increase access of the public to water by increasing storage capacity and production of water using desalination plants. Further the Public health department has been and continues to assist families on health and sanitation needs through WASH programs in schools and all clinics.

62. In recent years, there has been a growing recognition of the potential for renewable energy sources to play a significant role in Tuvalu's energy transition and for Tuvalu to align itself with SDG7 – affordable clean energy. The Tuvalu Electricity Corporation (TEC) has a set vision "Powering Tuvalu with Renewable Resources" which is aligned with the Tuvalu Government set target of 100% renewable energy by 2025. Tuvalu continues to explore the

potential of renewable energy sources to harness their abundant natural resources and to reduce their dependence on imported fossil fuels embracing its vision of achieving 100% of its electricity from renewable energy. The enactment of the Energy Efficiency Act to promote energy efficiency, control the importation, use and sale of inefficient electrical appliances into Tuvalu. The key purpose of the Act is to promote energy efficiency, energy conservation and to give effects to certain obligations that Tuvalu has under the Climate Change Conventions and related conventions.

63. To align with SDG 2 on zero hunger, Tuvalu continues to face challenges on food security resulting not only from climate change impact but other influences, which include access to land and other unfortunate socio-economic circumstances that continue to adversely affect its food security. Food sources in Tuvalu is a reliance on local food (agriculture and fishery) and imported food to secure livelihood in Tuvalu. To address food security challenges, several projects are in play such as the joint IOM-UNDP Climate Security in the Pacific Project funded by the UN Peace Building Fund, Live and Learn Project, which focuses on farming using food cubes to improve food security in the face of increasing climate related security challenges by providing a climate resilient technique to grow short term crops. Further, in accordance with the TE-KETE which calls for the rebirth, reviving and bolstering of Tuvalu's traditional food production, the Ministry of Local Government initiated the "Half Acre Initiative Project". The project includes Island Kaupules (Councils) entering into a Memorandum of Understanding with the Ministry for the purpose of working together to increase local food production by establishing food nurseries in all the outer islands funded by the government. There is also the Taiwan Technical Garden, a project jointly funded by Taiwan and Tuvalu Government which the aim is to increase accessibility of local people to green and fresh vegetables and at the same time to improve healthy eating habits.

4. Right to health

64. Tuvalu aims to ensure healthy lives and promote wellbeing for all its people at all ages aligning itself to SDG3 and the TE KETE. In line with its National Health Strategic Plan for 2020-2024 (NHSP), the Government of Tuvalu developed a Health System Strengthening Project (THSSP), which aims to increase the utilization of and strengthen the management of quality essential health services provided across Tuvalu, and to provide immediate and effective response in case of an eligible crisis or emergency. Tuvalu has one hospital and two health clinics situated in the capital providing primary and secondary care for patients and for those referred from the outer islands which services are free of charge. Each of the eight outer islands have a health centre staffed with nurses who mainly provide primary care and preventive services. Statistics revealed by the Ministry of Health indicate that at least 90% of outer island clinics are staffed with a midwife/doctor that attend to all deliveries. All complicated obstetric cases are referred to the main hospital in the capital. Patients needing advanced clinic care that exceed the hospital level are referred for overseas medical checks through the country's medical scheme namely the Tuvalu Overseas Medical Referral Scheme (TOMRS).

65. In terms of accessing sexual and reproductive health services, a non-government organisation the Tuvalu Family Health Association (TUFHA) partners with the Ministry of Health in delivering services to the public free of charge. Reproductive health commodities are available in all island clinics despite the low unmet needs for contraception by women and girls in Tuvalu. In the government's determination to ensure expected delivery of its services, the MOH extended its focus area to mental health. The Tuvalu-WHO Country Cooperation Strategy 2018-2022 provides ongoing capacity building support to increase national capacity for recovery-oriented community based mental health and social support services. It supports to promote mental health, preventing mental disorders, alcohol harm and suicide, reducing stigmatization and discrimination, and promoting human rights across the life course. In terms of vaccine preventable diseases, they are kept at bay with a good vaccination coverage of childhood vaccination. The vaccination coverage for Pentavalent 3 is 90.6%, Measles and Rubella is 90.04 %. The Ministry of Health has introduced PCV vaccine, which is a major cause for under 5 mortalities.

5. Right to education

66. The Government aligns itself with SDG 4 aspiring to ensure inclusive and equitable quality education and promote lifelong learning opportunities for all its citizens. At the national level, strategic priority areas 3 of the TE-KETE (Social Development) echoes SDG4 with a goal to achieving a healthy, educated, appropriately skilled spiritual and cultural value-based society that is committed, proactive and innovative. One of the envisioned national outcomes is noted as 'quality education for sustainable living improved for all'. Existing and ongoing commitments in terms of Polices, programmes and projects respecting and promoting the right to education embrace these goals. Education in Tuvalu is free for all under the free education initiative that Cabinet approved way back in 2016. Education is also compulsory for Years 1 to 10 pursuant to the Education Compulsory Education) Order 1984. With that, all students regardless of gender should attend school. Education is also inclusive for persons with disabilities and the Ministry of Education with its available resources have practices in place that accommodate learning for persons with disabilities.

67. Technical and Vocational Education Training (TVET) has a long history in Tuvalu used as an alternative pathway to ensure that all children are fully engaged academically while in schools. Two of the ten primary schools in the country offer technical and vocational training in years 9 and 10. One of the two secondary schools also offer technical and vocational skills development in years 10 to 13. The Tuvalu Maritime Training Institute (TMTI) provides training for marine cadets each year to equip them with the skills necessary for employment as seafarers on merchant shipping. Additional post-secondary technical training is offered through the Tuvalu Atoll Science and Technology Training Institute (TASTTI), and by external providers such as the University of the South Pacific (USP) through its Tuvalu campus as well as APTC.

68. Further, education projects such as the Tuvalu Learning Program (World Bank funded) and the Tuvalu Australia Partnership for Quality Education are several of the investments for improving the quality of education for all in Tuvalu. Scholarships from various donor partners are also available for citizens of Tuvalu providing the opportunity for full time tertiary studies on priority fields relating to Tuvalu's development.

E. Rights of specific groups

1. Women

69. Tuvalu acceded to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) on 6 October 1999. Tuvalu has been trying to progressively achieve its CEDAW obligations considerate that CEDAW is a tool that would help women in Tuvalu bring change to their daily lives and valuable in opposing the effects of discrimination, violence, poverty, lack of legal protection along with the denial of inheritance and property rights. While challenges are persistent, significant and progressive developments have taken place and the embedded attitude and perception against women are slowly changing positively making women more equal and safer.

70. Laws and policies have been enacted paving a way to implement the states obligation respective of the articles under CEDAW. For example, the Family Protection and Domestic Violence Act is deemed to have provided greater protection upon women and children from violence within domestic relationships, which complaints can be raised before the courts of competent jurisdiction in Tuvalu. A special unit within the Police Services for Domestic Violence was established to ensure that women and girls are at liberty to raise their complaints should they intend to. Counselling services are also available within the Gender Department for survivors including funds and temporary safe houses as means of protection and safety.

71. In line with SDG 5 on gender equality, women are becoming more knowledgeable on their rights and have accustomed themselves to using the available services for their wellbeing and to seek remedies on complains against their rights should they intend to. While these services are minimal considering Tuvalu's limited resources, they are available for women domestically. Tuvalu is slowly progressing into implementing the CEDAW

obligations therefore it may take a while to endeavour into ratifying its Optional Protocols as the Government is cautiously aware of its limited resources.

72. The CEDAW National Coordination Committee had the mandate to overlook progress in implementing CEDAW. A CEDAW monitoring sub-committee will be established in 2023 to advise on measures to accelerate the implementation of CEDAW.

73. The Gender Affairs Department provides technical assistance across the government to ensure that women and girls, in all their diversity, benefit equally to government programs and services, and continuously conduct gender analysis and inform the government about gender issues and respective needs of women and men across a range of development issues. Special attention is given to marginalised women and girls, including the ones living in hardship, out of school adolescent mothers, women and girls with disabilities, and female headed household.

74. A review of the 2014 National Gender Policy has been done and led to the updated version of the Tuvalu National Gender Equity Policy. The policy targets women's financial security, their participation in decision making, the support to victims of gender-based violence, and the implementation of gender responsive policies, programs and services across the government. The policy is accompanied by a plan of action. A substantial financial support to government's and civil society organisations' initiatives in these areas are provided by the Government of Australia and the Pacific Community (SPC).

75. The Gender Affairs Department is part of disaster management task forces, including the drought task force, and participates in post disaster assessments. The Department also collaborates with local government to identify measures to ensure the protection of women and girls during and after disasters. Gender perspective has been included in the National Biodiversity Strategic Plan of Action to ensure women's access to natural resources.

76. There are ongoing initiatives to raise awareness for a fair representation of women in politics and in public life in general. There is progress in terms of women's recruitment in senior leadership positions in the Government and in the Government owned Businesses. Many key civil society organisations in Tuvalu are led by women. However, there are still resistances to elect women in the Parliament and in local government, although the law does not discriminate against women. There is resistance to the adoption of temporary special measures. Nevertheless, efforts continue to further build the capacity of women in leadership, including by through the Women Practiced Government initiative supported by UNDP in 2022 to which "X women" participated. Effective participation of women in community consultations continue to be promoted by the Gender Affairs Department and is being implemented in local levels.

(a) Gender equality perspective in sustainable development policies

77. Efforts are underway to integrate a gender perspective in policies, programs, and services, across government departments, including in local governments. The participation of women across sustainable development has been included in TE KETE.

(b) Amendment of the Penal Code and the Family Protection and Domestic Violence Act to criminalize rape in all circumstances

78. Rape is an offence against morality in the Penal Code and punishment of rape is imprisonment for life. The Act does not apply to any offence that is aggravated or where the punishment under the Penal Code is more than 5 years.

79. Marital rape is not criminalised in either the Penal Code or FPDV Act, however the latter defines sexual abuse, which impliedly relates to the offence of marital rape. It states that, '*a sexual act or conduct that abuses, humiliates, degrades or violates the sexual integrity and autonomy of the complainant without the claimant's consent, irrespective of the nature of the relationship between the complainant and the perpetrator in a domestic relationship.'*

(c) Gender-Based Violence

80. The government of Tuvalu promotes the participation of women in all aspect of development, including in peace and security in the context of climate change, to build

resilience of our communities. There is an increasing number of women in senior government positions and decision-making position. Currently there is a woman parliamentarian who has served two consecutive terms in Parliament. In local governments, there is also an increase in the number of women in the executive; they currently represent 25% of the council members.

81. GAD continues its work on raising awareness on gender and women in leadership and decision making and also undertook leadership trainings and mock parliaments for women. Baseline surveys were also conducted on the status of women in leadership and decision making, with the intention to update database/ data collection.

(d) Domestic violence

82. The Family Protection and Domestic Violence Act 2014 provides for greater protection from violence within domestic relationships and other related purposes. Since its enforcement, limited cases have been reported and being referred to the court. The 2019-2020 Multiple Indicator Cluster Survey which provides data on the occurrence of domestic violence reveals that only a third of the victims and survivors sought help to stop violence, and only 13,6% of women sought help from the Police. (Central Statistics Division, 2020).

83. To support the implementation of the FPDV Act, the Tuvalu Police has established a Domestic Violence Unit, an emergency funds managed by the Gender Affairs Department is available to support victims and survivors. Counsellors have been trained, and two safe spaces have been established in 2020 for victims. There is also continued awareness raising and capacity building. The 16 days of activism against gender-based violence mobilises over fifteen organisations from the government and civil society to deliver a program of activities to raise awareness. Civil society organisations deliver trainings for further capacity building to provide counselling services.

84. However, limited financial and human resources have constrained the full implementation of the FPDV Act, especially in the outer islands. There is an upcoming initiative for reviewing the FPDV Act to identify gaps in its implementation and scope, and a plan of action will be developed to build capacity and strengthen protocols and referral pathways, including in the outer islands.

(e) Promotion of equality and empowerment of women, particularly in regard to hereditary and custody rights

85. The Lands Code is currently being reviewed and women equal rights over lands being discussed. The new National Gender Equity Policy (2023) includes a specific outcome related to gender-based violence and strategic actions are proposed in its Plan of Action.

(f) Prioritization of the full implementation of the FPDV Act, ensuring that women and girls survivors of violence have access to effective means of redress, and raise social awareness of the Act

86. To ensure the effective implementation of the FPDV Act, Tuvalu has undertaken several measures which aim to raise awareness on the content of the Act and improve access to support services as follows:

- Ongoing awareness raising campaigns: Tuvalu has been conducting continuous awareness campaigns on radio and television to educate the public about the FPDV Act. These campaigns serve as a platform to disseminate information, highlight the rights and protections provided under the Act, and promote a culture of non-violence and respect. This includes the organisation of a series of activities through the 16 days of activities against gender-based violence in the last 3 years with the involvement of over 15 government departments and civil society organisations that reached out to youth, children, traditional leaders, government staff, male advocates, entrepreneurs, etc. In 2022, the program of the traditional leaders included a full day on violence against women and human rights.
- Training and capacity building: To strengthen the implementation of the Act, training sessions on the FPDV Act have been conducted for various stakeholders, including

the Police personnel, magistrates, counsellors, educators in schools, community members and service providers. The aim was to enhance their understanding of the Act, ensure effective enforcement, and provide appropriate support to survivors.

- Rapid assessment during COVID-19: A rapid assessment was conducted in the capital in the early stage of the COVID-19 pandemic to assess if there was a possible increase in cases of domestic violence. The risk of gender-based violence urged the government to invest in the establishment of two safe space units.
- Legal assistance and counselling: The Office of the People's Lawyer continues to provide free legal assistance and advice to survivors of domestic violence. Additionally, the Social Welfare department offers counselling services to support survivors in their journey to recovery and healing.
- Safe space and financial support to the victims and survivors: The FPDV Act includes the provision of financial support to the victims and survivors. In 2020, two safe space units were established to offer emergency accommodation.
- Training and support for service providers: There are continuous efforts to build capacities of the service providers to deliver comprehensive support services to the victims and survivors of gender-based violence. Training of counsellors are also ongoing. The Tuvalu Police service has established a domestic violence unit to handle cases and provide adequate services to victims. It also has a ‘’community engagement" unit delivering awareness raising on safety and informing communities about laws, which include family violence and the FPDV Act.

2. Children

(a) Legislative framework and child Policy based on the principles and provisions of the CRC

87. Tuvalu being a party to CRC has incrementally implemented its obligations under the Convention. The Child Protection and Welfare Bill 2017 is still work in progress. Other child related policies such as the Protection of All Children in Educational Institutions in Tuvalu, Child Safe School Policy 2022 and the Inclusive Education Policy have all been completed but are yet to be endorsed by Cabinet.

88. The Education Amendment Act 2017 followed a series of awareness raising to educate and inform people of the new amendment. With the assistance of the Human Rights and Social Division, massive awareness training for communities, teachers, and children on behaviour management, positive disciplinary and Domestic Violence were conducted in 2019 to 2022 on Funafuti and outer islands.

(b) General principles of protection of children

89. Every new-born is required to be registered either at the General Registrar Office or with Local Government for those in the outer islands. The list of new-born babies is required to be sent to the Registrar General every three months. Children in primary and secondary schools are required to be registered for enrolment.

90. The Office of the Attorney General has an ongoing project to register all citizens of Tuvalu including children, and this will be implemented when the Citizenship Amendment Bill is tabled in parliament and being passed. In terms of domestic violence where a child is a victim, the duty bearers such as the police, social welfare among others, all play a key role in ensuring that the child is safe. A Child Safe School Policy was developed to ensure children are safe in schools.

(c) Criminalization of child pornography

91. The Cyber Crime Bill is being developed to protect children from child pornography. Further consultations are yet to be conducted with relevant stakeholders. A Transnational Crime Unit (TCU) was established to investigate cybercrime. However, cybercrime is currently not considered a crime in Tuvalu and therefore steps are being taken to legislate specific offences relating to cybercrime. Tuvalu established a Combined Law Agency Group comprising eight to ten overseas law enforcement agencies for the purpose of sharing

information and collaboration in the enforcement of national law. The terms of reference for this group has been developed and is awaiting endorsement by Cabinet.

92. The Penal Code of Tuvalu does not criminalise child pornography. However, the Labour and Employment Relations Act 2017 criminalises the production of pornography or for pornographic performances as the worst form of child labour.

(d) Children: Juvenile Justice

93. Tuvalu does not have a juvenile court or a juvenile centre (prison). However, the Office of the Attorney General and the Tuvalu Police force have been applying child sensitive justice procedures when a child encounters criminal acts.

94. The community policing unit within the Tuvalu police service provides activities for children involved in crimes. Moreover, the unit also extends its awareness to students in primary and secondary schools to ensure children understand the consequences of their actions and at the same time educate them on their rights.

3. Persons with disabilities

95. Tuvalu is a party to the CRPD and over the years, it continues to progressively implement its obligations under the Convention. Non-discrimination on the grounds of disability is now enshrined in the new Constitution 2023. This will pave the way for other initiatives that Tuvalu will endeavour to undertake for the protection of the rights of persons with disabilities.

96. The Social Welfare Department manages social protection programs, including the benefit scheme for persons with disabilities. A National Policy on the Rights of the Persons with Disability is being reviewed to identify gaps, which will lead to the development of guidelines and technical assistance to ensure government programs and services are disability inclusive.

97. The following are several of the initiatives that have been implemented:

- Education for children with disabilities- children with disabilities are being educated through the new inclusive program initiated by the Tuvalu Education Department;
- An increase in the number of scholarships provided to students and teachers to further their learning in Inclusive Education;
- Rights based awareness training;
- Improved social protection as stipulated under the Social Development Policy 4.1 - Social disability benefit Scheme (monetary) is provided on a monthly basis for any person that falls within the Disability criteria assessment;
- Creating and developing social valued roles - providing job opportunities within the Government for persons with disabilities with reasonable adjustments accommodated;
- Psychosocial counselling made available for various mental health issues;
- Attending the disability conferences to develop more awareness and capacity in building a more resilient and inclusive society. Also developing knowledge and experiences of Persons with disabilities;
- Improved building codes and infrastructure;
- Ramps and accessible toilets are made available in the new Government building, church buildings in all parts of the eight islands. Accessibility to boarding aircraft is improved with accessible ramp and a mobile wheelchair for easy access into the aircraft isle;
- Government focal point for disability - Social Welfare Department is working on strengthening its work with the Disability organization (Fusi Alofa). This is reflected in its new work-plan for 2024 and includes, rapid assessments, quarterly meetings, trainings, promoting the rights of Persons with disabilities and reviewing of the National Disability policy;

- Radio awareness programs implemented and developed on the disability scheme benefits policy and psychosocial counselling;
- Consultation of the legislative review on the compliance of the Convention on the rights of Persons with disabilities led by the Disability Organization (FAA).

III. Implementation of voluntary pledges

98. Tuvalu did not make any voluntary pledges during its last reporting.

IV. New and emerging issues

99. Tuvalu passed its new Constitution in 2023. Tuvalu has also launched its Future Now Project and its Rising Nations Initiative, both aiming at protecting Tuvalu's Statehood and human rights for all its citizens in the face of climate change as the single greatest threat to Tuvalu and the Pacific.

V. Challenges and international cooperation

100. Challenges faced by Tuvalu in the reporting period can be listed, in a non-exhaustive manner, to include, (i) events such as the COVID-19 pandemic, frequent droughts and cyclones, which resulted in the call for a nationwide state of emergency; (ii) limited resources, especially during the pandemic; (iii) geographic remoteness as a barrier to having access to resources; (iv) engagement with human rights mechanisms, including as a result of transition of AG's Office as the leading department for Human Rights Treaty Reporting to the Department of Foreign Affairs resulting in the delay of Tuvalu's submission of its UPR Report, (v) change of administration of Government during the reporting period.

101. International cooperation for the implementation of Tuvalu's human rights obligations and commitments is needed and welcome. More visibility and presence of human rights related technical and financial assistance in Tuvalu would be required. Further, apart from lawyers who have knowledge and experience on human rights treaty reporting and the UPR process, international cooperation can play a role in conducting in-country trainings with the assistance of OHCHR, to build the capacity of officials on treaty reporting and the UPR process.