



**DISABLED PERSONS ORGANISATION OF TUVALU**

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**TUVALU**

**Fusi Alofa Association Tuvalu (FAA - Tuvalu)**

**Submission to the 16<sup>th</sup> Session of the Universal Periodic Review Working Group  
(Second Cycle)**

**A. Description of Methodology and Broad Consultation Process**

FAA – Tuvalu is the first ever such association for Persons with Disabilities (PWDs), established in May 2009, in the capital Funafuti. We, in FAA – Tuvalu, strive to be the leading advocate on all disability-related issues, and to play the leading role in promoting a friendly and inclusive environment in Tuvalu.

We work closely with the Tuvalu Red Cross, who was responsible for all in-country disability programmes before FAA – Tuvalu was established, and we also work together with the Department of Community Affairs in which the disability portfolio resides in government, as well as with the South Pacific Commission Regional Rights Resource Team (SPC RRRT) Country Focal Officer.

For the purpose of this report, we participated in a government and NGO joint forum and dialogue for members of the civil society together with officials from the Office of the Human Rights Commission (OHCHR) in Suva, the Pacific Islands Secretariat (PIFS), and the SPC RRRT to follow up the UPR, in August this year. There were also extensive dialogues with senior government officials in the Office of the Prime Minister, the Ministry of Education and the Department of Community Affairs.

FAA-Tuvalu did not participate in Tuvalu's first UPR process in 2008, and we are most grateful for the financial and technical support from the above-named regional organizations, which have enabled us to submit this report, which responds to the recommendations specific to advancing the rights of PWDs.

**B. Development since the previous review in background of the State under review and framework**

FAA – Tuvalu sees as a significant achievement since the last review in 2008, the establishment of the school for children with special needs, in 2011. The school is a FAA-Tuvalu initiative that is currently run by four teachers on voluntary basis, only one of whom has had previous experience of working with

children with special needs. At present, the classes are being held within the FAA-Tuvalu headquarters, and negotiations are underway to register the FAA-Tuvalu school.

Inclusive education was an issue to be addressed in the National Education Strategic Plan (NESP) 2006 – 2010, and is even included in the current NESP 2011-2015, but to date work towards realizing that goal is still at its very initial stages, with the up-skilling of primary school teachers. Only four primary school teachers have successfully completed formal training overseas to enable them to work with children with special needs and those teachers have gone back to their normal postings.

The Ministry of Education has pledged support to the FAA-Tuvalu School, in line with its 'equal education opportunities for all' policy, but the quantity and quality of that assistance is still being negotiated in the national budget rounds for 2013.

On the down side, however, the education sector was the only strategic area in which PWDs were taken into consideration in the Tuvalu National Action Plan 2015, which summarizes the main outcomes of the Te Kakeega II<sup>1</sup> Mid-term Review (TKII MTR). The latter publication is the "document [that] will guide the Government's development policies as well as Tuvalu's development partners' assistance to Tuvalu for the remaining life of the TKII."<sup>2</sup> This would make it difficult for us to get assistance from our donor partners for any of our development projects other than those that fall within the education strategic area.

We attribute the exclusion of PWDs from the other seven strategic areas of the TKII MTR: Action Plan 2012 to the fact that our existence is not acknowledged in our Constitution, given that there is still no specific provision in the Constitution that protects freedom from discrimination against PWDs. To date no action has been taken towards making amendments to the Constitution to protect this right, although Tuvalu supported the UPR recommendation 68/5 to that effect, during the last review in 2008.

An example of negligence of PWDs is obvious in the fact that although 'physically handicapped and mentally challenged people' are on the top of the list of the ten (10) vulnerable groups identified in the Asian Development Bank (ADB) Participatory Poverty Assessment (PPA)<sup>3</sup> carried out in 2003 across six communities in Tuvalu, there are still no poverty reduction measures in the national budget to cater for essential needs of PWDs, similar to those measures taken for elderly people, 70 years of age and beyond. In efforts to realize our Millennium Development Goal (MDG) number one<sup>4</sup>, senior citizens of Tuvalu beyond 70 years of age get a support allowance of AUD50 (not AUD 70) each month to help ease the burden of their families.<sup>5</sup>

Tuvalu has yet to ratify the Convention on the Rights of Persons with Disabilities (CRPD) and at the time of writing, preparations are well underway to sensitize all parliamentarians and key senior government officials on the CRPD, before the end of this year.

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<sup>1</sup> Tuvalu National Strategic Development Plan II

<sup>2</sup> Te Kakeega II Mid-Term Review: Action Plan 2015; p.1

<sup>3</sup> ADB Reta 6047: REG/ Consultation Workshop on Poverty in Tuvalu

<sup>4</sup> Eradicate extreme poverty and hunger

<sup>5</sup> Tuvalu Millennium Development Goals Progress Report 2010/2011; p.21

**Thematic Area Two: Human Rights Issues (prevention of torture, education, climate change, racism, disability)**

**1. Disability Issues**

- We are greatly concerned that although recent amendments have been made to Tuvalu's Constitution, PWDs are still not included in the anti discriminatory law.
- We are just as concerned with the exclusion of PWDs from relevant key strategic areas in the nation's TKII MTR : Action Plan 2015.
- We note with growing concern the slow progress of the Government of Tuvalu in putting into place poverty reduction measures to cater for PWD's essential needs, similar to those implemented for senior citizens, above 70 years of age.
- We note that the ratification of the CRPD is not a national priority, but we plan to step up our lobbying and public awareness programmes on that matter so as to change the situation.

**2. Climate Change**

- Climate Change is an issue that touches the lives of every Tuvaluan and we are therefore, pleased to note that the Climate Change policy was endorsed last year, but the consultations were not nationwide as FAA-Tuvalu was not invited to participate in them and so naturally, PWDs are not taken into consideration in this very important document and in the nation's climate change adaptation programmes.
- We also note that Tuvalu has successfully completed its National Adaptation Plan of Action (NAPA) 1 and is in the process of implementing its NAPA 2.
- We note that CSOs, such as the Tuvalu Red Cross and the Tuvalu Association of Non-Governmental Organizations (TANGO) are playing important roles in helping Government with raising public awareness on climate change, as well as working together with island communities in implementing some climate change adaptation projects. As concerned citizens of Tuvalu, we believe, FAA-Tuvalu could and should be more involved in implementing NAPA 2, and in promoting international cooperation to combat climate change.

**3. Recommendations for Thematic Area Two:**

- i. FAA Tuvalu calls on Government as a matter of urgency to amend the Constitution to include protection from discrimination for PWDs
- ii. We call on Government to urgently develop a policy on disability that would help offset the exclusion of PWDs from certain key areas in its National Strategic Planning Framework, and to explore ways to fully mainstream PWDs development priorities into the TKII MTR: Action Plan 2015
- iii. We urge Government to immediately allocate funds for PWDs in the national budget as part of its poverty reduction measures, and also to help in the running of the FAA-Tuvalu School
- iv. We call on Government to ratify the UN CRPD immediately
- v. We call on Government to establish policies to increase PWDs participation in formal decision levels, particularly on important issues as gender, children's rights and climate change

**Thematic Area Four: Gender Equality**

1. More than 70 percent of FAA-Tuvalu's members are women who, like many other Tuvaluan women, are very eager to see gender equality come to reality in the true sense of the word.
  2. Although Tuvalu ratified CEDAW in 1999 and was a signatory to the Beijing Platform for Action 2005, there are still no laws that protect the freedom from discrimination on the basis of sex or gender.
  3. Domestic Violence (DV) is an issue in our country. <sup>6</sup> It threatens the rights and dignity of whoever the victim is; be it a woman, child or man, and we note with great concern the lengthy period involved in the process of developing a comprehensive strategy to reduce DV in Tuvalu.
  4. We are concerned that the DV Bill is still awaiting its first reading in Parliament and that no national DV Plan has been developed as yet.
- 5. Recommendations for Thematic Area Four:**
- i. We urge Government to amend the Constitution of Tuvalu to include gender as a basis to prohibit discrimination
  - ii. We call on Government as a matter of urgency to pass the DV Bill and to just as urgently, establish a comprehensive DV Plan to reduce DV in Tuvalu

**END**

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<sup>6</sup> Demographic and Health Survey 2007