



# Convention on the Rights of the Child

Distr.: General  
5 July 2019

Original: English  
English, French and Spanish only

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## Committee on the Rights of the Child

Eighty-third session

13–30 January 2020

Consideration of reports of States parties

### List of issues in relation to the combined second to fifth periodic reports of Tuvalu

The State party is requested to submit in writing additional, updated information (10,700 words maximum), if possible before 15 October 2019. The Committee may take up all aspects of children's rights set out in the Convention during the dialogue with the State party.

#### Part I

1. Recalling the Committee's previous concluding observations (CRC/C/TUV/CO/1, paras. 9, 24 and 32), please indicate the progress made in reviewing the Constitution and national laws to make them fully compliant with the principles and provisions of the Convention. Please indicate whether the necessary steps have been taken to expedite the adoption of the child protection and welfare bill of 2017, and to ensure its full compliance with the Convention.
2. Please indicate the measures taken to develop and implement a comprehensive policy on children, including the human, technical and financial resources allocated. Please explain how the National Advisory Committee for Children's Rights coordinates the implementation of the Convention, indicating the human, technical and financial resources specifically allocated for its coordination mandate. Please provide updated information on the status of the National Human Rights Institution Act of 2017.
3. Please describe how the best interests of the child are taken as a primary consideration when drafting, adopting and reviewing legislation concerning children. Please indicate measures taken to ensure child participation and that the best interests of children are taken as a primary consideration in the family, schools and the community and in judicial and administrative procedures concerning them. Please also explain how systematic and meaningful child participation is addressed in the Tuvalu National Youth Policy 2015–2019 and the role of the Tuvalu National Youth Council.
4. Please provide information on the status of the marriage (amendment) bill, which increases the age of marriage to 18 years. Please indicate the progress made in reviewing discriminatory laws, including the Penal Code, under which consensual same-sex sexual activity between boys is penalized. Please provide information on the legal, policy and awareness-raising measures taken to address all forms of discrimination against children, particularly girls, children born to unmarried parents and children with disabilities.
5. Please provide information on measures taken to implement the Family Protection and Domestic Violence Act of 2014 and their impact. Further to the State party's report

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(CRC/C/TUV/2-5, para. 53), please indicate measures taken to expedite the development of a policy framework on child protection. Please also indicate whether there is a mechanism for receiving, following up and investigating reports from or on behalf of child victims of violence, including sexual abuse, domestic violence and neglect.

6. Please indicate measures taken to explicitly prohibit corporal punishment in all settings, including in the home, and to enforce the prohibition of corporal punishment under the Education (Amendment) Act of 2017 and the Island Court (Amendment) Act of 2017. Please indicate progress made in amending the Penal Code to protect all girls and boys under 18 years of age from all forms of sexual abuse. Please indicate the status of the cybercrime bill and the measures to implement its provisions against child pornography.

7. Recalling the Committee's previous concluding observations (CRC/C/TUV/CO/1, para. 46), please provide information on the progress made in bringing national laws concerning adoption and proceedings thereunder in full compliance with the principles and provisions of the Convention, in particular article 21. Please indicate measures taken to ensure that the rights of the child are protected in customary adoptions by extended family members and to increase awareness of formal adoption.

8. Please provide updated information on the adoption of the draft Tuvalu national policy on disability 2017–2021 and indicate any specific measures with clear time frames under the policy concerning children with disabilities. Please indicate steps taken to facilitate the full inclusion of children with disabilities into society, particularly by ensuring their effective access to health services and inclusive education.

9. Please provide information on measures taken to address the issue of child poverty, including on the outer islands. Please indicate the steps taken to reduce disparities in health services between Funafuti and other islands and to make quality health services available and accessible to all children. Recalling the Committee's previous concluding observations (CRC/C/TUV/CO/1, para. 52), please provide information on the measures taken to provide reproductive health education, counselling and services to adolescents.

10. Please indicate the steps taken to make accessible, quality education available, including on the outer islands, to address the shortage of trained teachers and to scale up early childhood care and education. Please explain the measures taken under the Sustainable and Integrated Water and Sanitation Policy to ensure sufficient access to safe water and sanitation, including in schools.

11. Please inform the Committee of policies or programmes that address the special vulnerabilities and needs of children as a result of climate change and natural disasters. Please indicate the measures taken or envisaged concerning children in situations of migration, including in the context of natural disaster situations, as well as under the Tuvalu National Labour Migration Policy.

12. Recalling the Committee's previous concluding observations (CRC/C/TUV/CO/1, para. 63), please explain the efforts made to develop a comprehensive juvenile justice system, increase the minimum age of criminal responsibility and ensure that children are separated from adults in detention facilities.

## **Part II**

13. The Committee invites the State party to provide a brief update (no more than three pages) on the information presented in its report with regard to:

- (a) New bills or laws, and their respective regulations;
- (b) New institutions (and their mandates) or institutional reforms;
- (c) Recently introduced policies, programmes and action plans and their scope and financing;
- (d) Recent ratifications of human rights instruments.

## Part III

### Data, statistics and other information, if available

14. Please provide consolidated information for the past three years on the budget lines regarding children and social sectors by indicating the percentage of each budget line in terms of the total national budget and the gross national product. Please also provide information on the geographic allocation of those resources.

15. Please provide, if available, updated statistical data disaggregated by age, sex, type of disability, ethnic origin, national origin, geographic location and socioeconomic status, for the past three years, on:

- (a) Cases of corporal punishment in all settings;
- (b) Cases of violence against children, child neglect and abuse;
- (c) Investigations and prosecutions carried out and sentences issued in cases of violence against children, child neglect and abuse, including sexual abuse and exploitation of children;
- (d) Child victims of sale, trafficking, prostitution and pornography and the number of investigations and prosecutions carried out and sentences issued.

16. Please provide, if available, updated statistical data disaggregated by age, sex, ethnic origin, national origin, geographic location and socioeconomic status, for the past three years, on:

- (a) Infant and child mortality;
- (b) Babies with low birth weight;
- (c) Obesity among children;
- (d) Anaemia among children;
- (e) Teenage pregnancy and girls receiving medical and professional services for pregnancy and childbirth;
- (f) Tobacco, alcohol and drug abuse among children;
- (g) Sexually transmitted infections, including HIV/AIDS.

17. Regarding children deprived of a family environment, please provide data, disaggregated by age, sex, socioeconomic background, ethnic origin and geographic location, for the past three years, on the number of children:

- (a) Separated from their parents;
- (b) Orphaned;
- (c) Placed with extended families;
- (d) Adopted.

18. Please provide data, disaggregated by age, sex, type of disability, ethnic origin and geographic location, for the past three years, on the number of children with disabilities:

- (a) Living with their families;
- (b) Living in institutions;
- (c) Attending regular primary schools;
- (d) Attending regular secondary schools;
- (e) Attending special schools;
- (f) Out of school;
- (g) Abandoned by their families.

19. Please provide, if available, updated statistical data disaggregated by age, sex, type of offence, ethnic and national origin, geographic location and socioeconomic status, for the past three years, on children in conflict with the law who have been:

- (a) Arrested;
- (b) Referred to diversion programmes;
- (c) Held in pretrial detention;
- (d) Convicted and have served or are serving a sentence in detention and the length of the sentence;
- (e) Held in adult detention facilities.

20. Please provide information on how the planning, implementation and monitoring of measures for achieving the Sustainable Development Goals integrate a child rights-based approach, including with regard to child participation and data collection, and how they promote the realization of children's rights under the Convention and its Optional Protocols

21. Please provide the Committee with an update of any data in the report that may have been outdated by more recent data collected or other new developments.

22. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.

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