



Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities Thirty-second session

Summary record (partial)* of the 759th meeting**

Held at the Palais des Nations, Geneva, on Tuesday, 4 March 2025, at 10 a.m.

Chair: Ms. Kim Mi Yeon

Contents

Consideration of reports submitted by Parties to the Convention under article 35

Initial report of Tuvalu, considered in the absence of a delegation

* No summary record was prepared for the rest of the meeting.

** No summary record was issued for the 758th meeting.

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The meeting was called to order at 10.05 a.m.

Consideration of reports submitted by Parties to the Convention under article 35

Initial report of Tuvalu, considered in the absence of a delegation (CRPD/C/TUV/1; CRPD/C/TUV/Q/1)

1. **The Chair** said that, regrettably, the delegation of Tuvalu was not present to engage in the constructive dialogue with the Committee. She would be interested in hearing the views of Committee members before determining how to proceed.
2. **Mr. Araya** (Secretary of the Committee) said that the situation was indeed regrettable. Between October 2024 and February 2025, the secretariat had made repeated attempts to contact the State Party through the diplomatic channel, sending a number of invitations and reminders in preparation for the dialogue. To date, no reply had been received.
3. He recalled that, at its thirtieth session, the Committee had faced a similar scenario; in that case, it had opted to proceed with the dialogue in the absence of a delegation and to adopt the resulting concluding observations.
4. He noted that the Committee had agreed, on an exceptional basis, to conduct the dialogue with the State Party in a hybrid format, with the delegation of Tuvalu attending remotely, and had scheduled three meetings at the current session for that purpose. Since the State Party's delegation might yet join the remaining meetings, the Committee could consider continuing as planned, with members of the Country Task Force posing their questions relating to the articles of the Convention.
5. **Mr. Al-Azzeh** said that, while the Committee had decided in the past to continue the review in the absence of a delegation, it was not necessarily the ideal approach. He would question the logic of the Committee posing questions to which it could expect no reply. He wondered whether those questions might instead be sent in writing to the State Party.
6. **Ms. Kayess** (Coordinator, Country Task Force) said that, while she agreed in part with Mr. Al-Azzeh, it could not be assumed that the State Party would not respond to the Committee's questions if asked. The current situation demonstrated precisely why the treaty body strengthening process was so vital. Small island developing States, such as Tuvalu, could not be expected to send delegations to Geneva, where the Committee sat in its ivory tower. The upcoming Pacific technical cooperation session of the Committee on the Elimination of Discrimination against Women might serve as an example to follow; if the Committee on the Rights of Persons with Disabilities could visit the regions, countries such as Tuvalu would likely engage wholeheartedly in the process.
7. Out of respect for the many organizations of persons with disabilities that had travelled the distance to attend the session and share their expertise with the Committee, the dialogue should continue. The matter could be discussed further as part of a review of the Committee's methods of work, with a view to establishing a procedure to be followed in such situations, preferably one that would spare organizations of persons with disabilities the journey if the Committee decided that, in future instances, it would send questions in writing.
8. **Mr. Al-Azzeh** said that, in his view, it would show no disrespect towards organizations of persons with disabilities if the Committee sent questions to the State Party in writing. In fact, those organizations attended the Committee's sessions even when it was clear that – for political, economic or other reasons – the State Party concerned would not be present. The contribution of organizations of persons with disabilities to the Committee's sessions was crucial; they enriched the Committee's dialogues and the points they raised were reflected in its lists of issues and concluding observations.
9. **Mr. Morris** said that, while he understood Mr. Al-Azzeh's concerns, it was nevertheless important for Committee members, in particular those on the Country Task Force, who had prepared for the dialogue, to be able to pose their questions during the meeting and for the exercise to be documented. That would be to the benefit of not only the Committee and organizations of persons with disabilities but also those who were watching the proceedings, whether in person or online.

10. **Ms. Kayess**, agreeing with Mr. Morris, said that such an approach would also facilitate transparency. It was important that organizations of persons with disabilities could follow the proceedings and know what questions the Committee had asked of the State Party; that might not be possible if a written communication was sent to the State Party instead. While it might seem illogical to proceed without the delegation being present, it was critical to ensure that the review process was inclusive, in particular of the people and organizations who had contributed their time, effort and expertise.

11. **Ms. Gabrielli** said that it was of paramount importance to keep in mind the situation of persons with disabilities living in Tuvalu, who relied on the work of the Committee. For that reason alone, the Committee should continue as planned, the delegation's absence notwithstanding, and make every effort to contact the State Party.

12. **Mr. Makni** said that the aim of the Committee's questioning was to refine its understanding of the information contained in the State Party's report and give shape to the resulting concluding observations, which would serve as a guide for future action by the State Party. The Committee might consider reviewing its methods of work, particularly regarding countries facing higher levels of poverty that prevented their delegations from travelling to Geneva.

13. **Ms. Jacobs** said that the Committee should not alter its procedures midcourse. If it had previously adopted a course of action, it should continue in that vein. It could reflect later on the related challenges and develop more comprehensive procedures to deal with similar situations.

14. **Mr. Al-Azzeh** said that, whether or not the Committee posed its questions at the current meeting or in writing, they would be available for all to see. He agreed that the Committee should reflect on its procedures for dealing with such situations. The value of constructive dialogues lay precisely in the exchanges that they entailed; the Committee should not conduct a monologue. He wondered whether, in future, the secretariat might consider rescheduling reviews when it was clear that a delegation would not attend. Regarding Tuvalu, he would go along with whatever course of action the Committee decided to take.

15. **Mr. Kouassi** said that, since the Committee had already reviewed a State Party's report in the absence of a delegation, it should continue with that approach. The State Party would have an opportunity to respond to the Committee's questions in the remaining meetings scheduled for the constructive dialogue with Tuvalu; if it chose not to do so, the Committee could proceed to adopt its concluding observations. In the meantime, the Country Task Force should have the opportunity to raise its concerns.

16. **Mr. Araya** (Secretary of the Committee) said that, given the Committee's backlog of reports, any rescheduling of the review would likely delay the Committee's examination of the initial report of Tuvalu until 2035 or even 2040. For that reason, he would recommend that Committee members should pose their questions at the current meeting, of which there would be a record. The secretariat would then relay the questions to the Permanent Mission of Tuvalu to the United Nations, with a request for replies before the Committee adopted its concluding observations.

17. **The Chair** said that, on that basis, she wished to invite Committee members to proceed with their questions relating to the articles of the Convention.

Articles 1–9 and 31–33

18. **Ms. Kayess** said that Tuvalu, a small island nation comprising nine geographically dispersed reef islands and atolls, faced issues such as the effects of climate change, geopolitical upheaval and limited economies of scale, all of which presented challenges to respect for and protection and fulfilment of human rights.

19. She wished to know what obstacles the State Party faced in finalizing its constitutional review, which had been under way for some years, in order to guarantee the rights of persons with disabilities, and what measures had been taken to amend Tuvaluan laws and policies, following the review by the Economic and Social Commission for Asia and the Pacific of their compliance with the Convention. Given that the "Te Kaniva" national climate change

policy for the period 2021–2030 prioritized the protection of the rights of persons with disabilities displaced by climate change, she wondered how those persons were taken into account in actions to protect the rights of displaced persons. She would like to know what steps the State Party had taken to ensure that agreements with third countries, such as Australia and New Zealand, to accept Tuvaluan climate change refugees and migrants would not preclude entry by persons with disabilities on health grounds.

20. She would be interested to know whether women and girls with disabilities had participated in the development of the new national gender equality policy; whether the Government provided support to the Fusi Alofa Association – the national organization of persons with disabilities – to facilitate consultation with and participation by women and girls with disabilities in policymaking; and to what extent women and girls with disabilities were involved in the implementation of policies. It would be useful to know how the issues affecting children with disabilities had been incorporated into the Children’s Policy and the work of the National Advisory Committee for Children’s Rights. Information would likewise be appreciated on coordination between the Advisory Committee and the National Disability Coordination Committee and among sectors working on issues related to children and to persons with disabilities.

21. She would welcome information on the status of the draft building code, including whether it contained measures on accessibility. She would be curious to know whether the State Party had taken any steps towards establishing donor partnerships and programmes to obtain technical and financial assistance, in particular to address challenges in ensuring accessibility on the basis of universal design and to implement the disability-related aspects of various national plans and policies. For example, consideration might be given to creating programmes, with donor support, to provide for the distribution and repair of assistive devices, free of charge, and capacity-building for sign language interpreters across the various islands. In that regard, she wondered whether government ministries might also earmark a small percentage of their budgets to fund critical disability initiatives, such as those on assistive devices, sign language and community-based mental health support.

22. It would be helpful to know whether the Office of the Ombudsman had the necessary resources to fulfil its mandate as the national human rights institution, whether it had taken steps to become fully compliant with the Paris Principles and how it worked with persons with disabilities and with the National Disability Coordination Committee. She would be grateful for clarification on the current status of the Coordination Committee, which was responsible for implementing the Convention through sectoral policies but was reportedly inactive, and on the extent to which persons with disabilities were consulted on and participated in ministerial policy development and implementation.

23. **Ms. Placencia Porrero** (Country Task Force) said that she would like to know more about the updates made to the draft building code, including how the Government intended to ensure that accessibility provisions would be implemented in practice, whether specific funding had been earmarked for that purpose and what, if any, rules had been put in place regarding donor funding and accessibility requirements. She wondered whether any road infrastructure and transportation improvements were planned, including to take accessibility and reasonable accommodation into account in public bus and boat transportation.

24. Given that the State Party was taking steps to incorporate questions on persons with disabilities into the national census, she wondered whether it planned to leverage that data to produce a report on the situation of persons with disabilities, with indicators for each of the rights set out in the Convention and a particular focus on poverty and access to employment, education and health.

25. **Ms. Dondovdorj** said that she wished to know what action was being taken and what mechanisms were being put in place to ensure that all legislation and policies were rights-based and disability inclusive and how the Government ensured the participation of persons with disabilities in that process. She wondered whether there were plans to develop a comprehensive plan to address entrenched stigma and prejudice and combat negative attitudes towards persons with disabilities, with the involvement of persons with disabilities themselves and their representative organizations. Lastly, she would like to know whether

accessibility features were taken into account during the public procurement process and, if so, to what extent.

26. **Mr. Corporán Lorenzo** said that he would be interested to know whether State budgets included budget lines for delivering on disability-inclusive policy and whether the teacher training curriculum encompassed training on inclusive education.

The discussion covered in the summary record ended at 10.45 a.m.