



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**
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Summary record of the 896th meeting

Held at Headquarters, New York, on Wednesday, 29 July 2009, at 10 a.m.

Chairperson: Ms. Gabr

Contents

Consideration of reports submitted by States parties under article 18 of the
Convention (*continued*)

Combined initial and second periodic reports of Tuvalu

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The meeting was called to order at 10 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Combined initial and second periodic reports of Tuvalu (CEDAW/C/TUV/2; CEDAW/C/TUV/Q/2 and Add.1)

1. *At the invitation of the Chairperson, the members of the delegation of Tuvalu took places at the Committee table.*

2. **Mr. Telavi** (Tuvalu), introducing his country's combined initial and second periodic report (CEDAW/C/TUV/2), said that for Tuvalu, the Convention was far more than a women's convention, as it raised central issues of traditional and modern governance. For the people of Tuvalu, the Convention posed the challenging question of whether or not to reconsider its traditional norms. In applying the Convention, Tuvalu would continue to build on its tradition of universal health-care coverage, free primary school education and the maintenance of a peaceful and harmonious society.

3. As a small island developing State and a least developed country, Tuvalu faced many challenges, the greatest of which was climate change, with its related rise in the sea level. It was crucial to integrate climate change into the existing international platforms for women.

4. Tuvalu was a constitutional monarchy governed by a written Constitution. It had been an independent nation since 1978. Governance was two-tiered, with the central Government located on Funafuti Island and local government councils on each of the other eight islands. The central governance was more modern and receptive to change, while at the local level, governance was very much linked with tradition and culture. That was, in itself, a major hurdle which needed to be addressed. On the other hand, the peaceful nature of Tuvalu society could be attributed to its strong culture, ethics and Christian principles. Crime in Tuvalu was mostly petty, and security was hardly an issue.

5. A major issue since ratification of the Convention had to do with laws which ran counter to the spirit of the Convention. Those included the national Constitution and laws on land ownership.

6. Positive developments since the submission of the report included the passage of a bill that recognized the existence of domestic violence and granted the power of police involvement in such matters. In August 2009, a law would come into effect that would repeal provisions related to the Women's Home Benefit scheme mentioned in paragraph 11.14 of the report.

Articles 1 to 6

7. **Ms. Ameline** asked if there were plans to reform discriminatory laws, including the Constitution. The Constitution contained no reference to sexual discrimination. That lacuna in the Constitution validated the discriminatory laws which remained in effect and deprived the Government of the support needed to make the necessary changes.

8. She wondered what awareness-raising actions were ongoing to educate the public to the fact that tradition could take account of changes in mentality and adapt. The numerous sources of law included culture, religion and jurisprudence, making it complicated to have a well-defined rule. One important issue concerned the law on domestic violence, whose sanctions were not compatible with the Convention. She wished to know if there was a timetable and the stated political will to revise discriminatory laws prior to the preparation of the next periodic report.

9. **Mr. Flinterman** asked what concrete steps had been taken to follow up on the recommendations of the Human Rights Council referring to legal obligations under the Convention and what time frame would apply to such steps. Regarding the promise made in the replies to the list of questions (CEDAW/C/TUV/Q/2 and Add.1), he also asked about concrete steps and a timetable. It was gratifying that the Government was considering ratification of the Optional Protocol. It would be very good if Tuvalu could ratify it in time for the tenth anniversary of the Optional Protocol at the end of 2009.

10. **Ms. Šimonović** noted that while Tuvalu had considered incorporation of the Convention into national law, that had not yet been done. As a result, judges were not directly applying the Convention. She wondered if there were plans to incorporate the Constitution into domestic law and, if so, according to what schedule. She also stressed the importance of having an official Government translation of the Convention in the local language so that judges could

use all of its articles. She asked if there was such a translation.

11. Article 27.2 of the Constitution did not clearly mention discrimination on the grounds of sex. Discrimination based on sex should be prohibited.

12. **Ms. Neubauer** reiterated the request made in the list of issues and questions (CEDAW/C/TUV/Q/2 and Add.1) for concrete information on the implementation of the Corporate Plan. By the end of 2009, it should be fully implemented, so certain results should already have been achieved. Implementation was a concern, as the previous Corporate Plan had been poorly implemented owing to a lack of funding. It would also be helpful to know whether gender equality was a priority of the Government when it negotiated for funding from possible foreign donors.

13. **Ms. Apinelu** (Tuvalu) said that the results of the overall review by the Government of all laws would determine whether amendments would be made to laws impinging on women's rights. It was important to consider the impact of the Convention on traditions. Consultation with the public would be required.

14. **Ms. Seluka** (Tuvalu) said that the Government would review legislation on land ownership as part of the process of reviewing all laws. The Convention had been translated into the Tuvaluan language.

15. She acknowledged the failure to implement the previous Corporate Plan effectively. Although the national coordinating committee for the Convention could no longer hold monthly planning and strategy meetings owing to financial constraints, it had continued partnerships with other Government offices responsible for health and education, inter alia, and with non-governmental organizations, to make sure that some of the objectives in the Plan were being met. Although laws had not been changed to comply with the Convention, the Government had been very good to women in terms of changing policies and practices and focusing on the individual development of women. The number of women who had won scholarships had increased greatly since 1978.

16. **Ms. Filipi** (Tuvalu) said that the Department of Women's Affairs had a mandate to eliminate discriminatory practices against women. Owing to inadequate budget allocations, a law had been passed requesting assistance from other partners in implementing the activities in the Corporate Plan.

17. **Mr. Seluka** (Tuvalu) said that concrete steps to review discriminatory provisions in the light of the Convention and traditional norms were not yet part of the Constitutional review process. However, there were programmes to explore a review of the empowering legislation on traditional governance and how norms would be implemented by local government.

18. **Mr. Telavi** (Tuvalu) said that upon the delegation's return to Tuvalu, the Government would look into providing education to the local people before changes were implemented under the Convention. The timetable would have to be determined.

19. **The Chairperson**, speaking in her capacity as an expert, said that the Committee did not expect the people of Tuvalu to overlook their traditions. Certain aspects, such as the focus on a peaceful society, were of benefit to women. Other aspects, such as the prevalence of stereotypes that impeded women from participating fully in political life, were more harmful and should be put aside. She would welcome more information on measures to eliminate stereotypes.

20. Given that Tuvalu comprised several small islands, she wondered what use could be made of the media to promote the Convention and to implement national mechanisms to protect women. With reference to the view that temporary special measures might be ill-received as a form of discrimination against men, she stressed that they were important in allowing women to participate in society.

21. Lastly, she urged the Government to consider acceding to other international human rights instruments, such as the International Covenants on Human Rights and the Convention on the Rights of the Child, since the rights they protected were closely linked to those provided for in the Convention on the Elimination of All Forms of Discrimination against Women.

22. **Ms. Murillo de la Vega** said that the modernization of society was linked to the enjoyment by women of their human rights. The prevalence of stereotypes in Tuvalu meant that the role of women was diminished. She welcomed the acknowledgement by the State party that women had suffered abuse in Tuvalu. The direct intervention by the Minister for Home Affairs in tackling those issues was positive.

23. Noting the weight of tradition in Tuvalu, such institutions as the *Kaitasi*, the communal family

grouping, offered support but also left women in a subordinate position, in which their role was largely to provide care, while authority was vested in men. The role of women depended on their position in society and she therefore wondered whether there was different treatment of men and women with regard to such issues as access to education or in case of adultery. The Department of Women needed more funding, and awareness campaigns must be conducted and policies enacted to change stereotypes.

24. **Ms. Chutikul** said that Tuvalu was a patriarchal society with stereotyped roles, as acknowledged by the State party in its report. That allowed men, for example, to discipline women in certain situations. In such circumstances, in which women were also conservative, change did not come easily.

25. The Government had taken a number of steps, including gender-sensitivity training and reform of school curricula, and she asked whether any evaluation had been carried out to determine their effectiveness. Were there clear strategies and programmes, especially targeted at men, to change stereotypes and to end discriminatory traditional practices? She wondered whether different approaches, such as focusing on male community leaders or mobilizing youth movements, had been tried. Was there recognition of communities in which progress has been made? Were there studies of the impact of traditional practices on human rights? Attitudes and value systems provided the backdrop for legal provisions to implement the provisions of the Convention, making article 5 particularly important. She welcomed the Government's commitment to accelerating progress.

26. The delegation had provided little information on trafficking and prostitution, prohibited under article 6, and she would welcome more information, particularly with regard to underage and so-called informal prostitution. She also wished to have more information on the impact of labour mobility in terms of trafficking. Noting the intention to conduct research on prostitution, she hoped that it would encompass trafficking, and suggested that the Department of Women should seek support from international organizations in that regard.

27. **Ms. Begum** said that the report indicated that the prevalence of domestic violence was high but that it frequently went unreported, being regarded as a private matter. There appeared to be no specific legislation on

domestic violence, and the Penal Code also failed to address the question adequately. Domestic violence was a serious impediment to the advancement of women and the attainment of gender equality. What legislation did the Government intend to introduce to reduce violence against women? She requested further information on the consultations taking place concerning the new Police Powers and Duties Bill and on the Government's intentions with regard to the "no drop" policy. Lastly, she asked what awareness-raising activities would be conducted to publicize the new Police Bill and to tackle domestic violence, which harmed the entire community.

28. **Ms. Awori**, referring to article 6, welcomed the conclusion of the first reading of the Police Powers and Duties Bill. It would be useful to have more information on its provisions and an indication of what measures of protection for women existed. Was it possible for the Government to accelerate adoption of the Bill?

29. With regard to incest, she noted that under section 156 (5) of the Penal Code, a girl over 15 years of age who consented to sexual intercourse with a close family member was deemed to have committed a felony. That provision made the girl a criminal, whereas, in fact, she was a victim. Noting that the section had never been applied by the courts, she asked what time frame the Government had in mind for repeal of the provision, which posed a danger to women. The matter should be addressed urgently. Finally, she asked what steps were being taken to introduce a comprehensive act on the prohibition of sexual offences.

30. **Ms. Ameline** said that the legal framework relating to sexual offences was completely unacceptable. In that connection, she wished to know how the courts would apply any new legislation, and whether, in particular, they would be likely to be influenced by local tradition.

31. **Ms. Rasekh**, noting the assertion that trafficking and prostitution were not problems in Tuvalu, asked what measures had been taken to document those issues and to gather information, and what steps the Government was willing to take in terms of legislation and programmes to tackle those problems. Similarly, the low reported incidence of domestic violence did not mean that the problem did not exist, and she asked what plans the Government had to establish a

comprehensive data-collection system to monitor domestic violence, incorporating, for example, reports from the police and hospitals. Lastly, the Government had indicated that the police force was empowered to enter private premises to investigate domestic violence offences, but must leave when asked to do so by the occupier of the premises. If that was the case, how could the police deal effectively with such offences?

32. **Ms. Šimonović** asked for further clarification of the new Police Powers and Duties Bill and of the challenges that would arise in terms of implementation. The country's island configuration perhaps made it difficult to organize shelters and measures of protection. Any new legislation that the Government might contemplate on domestic violence should take account of the Committee's General Recommendation No. 19, on violence against women.

33. **Mr. Telavi** (Tuvalu) said that Tuvalu had been independent for only 30 years, and had inherited its legislation. Thus far there had been no comprehensive review of that legislation, for which purpose there would need to be a consultation with the people. The Government was, however, open to change, and the people must be open also. In a country of nine small islands communications were difficult, and were assured by ships and by radio telephone. In such circumstances ensuring compliance with the provisions of the Convention was no easy matter.

34. There had been progress in regard to women's rights and the situation was much better than it had been at the time of independence. A bill on domestic violence would be finalized later in the year, probably in November. The Police Powers and Duties Bill would consolidate police powers in a single piece of legislation and give the police the authority to intervene in case of domestic violence. The Committee should understand that violence in Tuvalu was relatively low level. There had, for example, been no deaths. Revision of the Penal Code would also require consultation with the people. Lastly, temporary special measures were not a popular option in view of the islands' customs and could cause considerable harm. The Government preferred to rely on the modernization of society through the education of its people.

35. **Ms. Apinelu** (Tuvalu) said that, although it was indicated in the responses to the list of issues and questions that the police were compelled to leave when asked to do so by the owner of the premises, they were

in fact legally empowered to remain on the premises and investigate the alleged offence that was the reason for their being there. However, it was a part of the cultural tradition of Tuvalu that when the owners of a dwelling made a request, one complied.

36. With regard to the "no-drop" policy she clarified that from time to time the Office of the Attorney-General issued standing instructions on how the police were to handle certain cases. In that context, they were required to pursue all reported cases of domestic violence. Even if, as had traditionally happened, the victim or her family subsequently came to the police and alleged that the matter had been resolved amicably, the police were not allowed to drop the case; it had to take its course in the courts. The police force had started the process of data collection. It was still at a rudimentary stage, but with continued assistance it was expected to improve.

37. Consideration was being given to eliminating the provision in section 156 (5) of the Penal Code, under which a female person aged 15 years or older who permitted a close relative to have sexual intercourse with her would be guilty of a felony.

38. **Ms. Seluka** (Tuvalu) explained that in seeking to raise awareness of domestic violence and to eliminate violence against women the Department of Women's Affairs would work in partnership with the National Council of Women, other non-governmental organizations and Government departments. On International Women's Day in March 2009, for the first time in the history of Tuvalu, its women had marched in a parade, with the theme of elimination of violence against women. That approach had been used to deliver the message that violence against women was a serious issue, because actual victims of violence were usually extremely reluctant to talk about it.

39. With regard to monitoring and evaluation of programmes, generally speaking the resources were lacking to carrying out formal evaluations. However, feedback from participants was generally positive. One of the impacts that the Department of Women's Affairs could see from its work was the increase in the number of women approaching the courts to claim their rights. When Tuvalu had been a colony, and even in the early days of independence, it had been very hard for a woman to go directly to the courts, but the programmes that had been organized on the Convention, on gender

awareness and on human rights had empowered some women to take that step.

40. With regard to the question on trafficking and prostitution, she said that the country was so small that if a stranger, possibly a victim of trafficking, were to appear it would be noticed immediately and the police would very quickly become aware of it. It was for that reason that trafficking was considered to be barely an issue in the country, although she agreed that a formal study of the matter might be beneficial, adding that one could be included in the next Corporate Plan after the current one expired later in the current year.

41. Under the Pacific Prevention of Domestic Violence Programme, New Zealand and Australia were helping the police of Tuvalu, providing them with training on domestic violence issues. In addition, the Government had negotiated with the Regional Rights Resource Team that received financing from the United Nations Trust Fund to End Violence against Women to obtain assistance in putting suitable preventive measures in place.

42. With regard to the question about shelter for women victims of violence, she explained that in the cultural setting of Tuvalu victims would generally go to live with relatives. In terms of serious violence against women in Tuvalu, in 1996 one woman had been killed by her husband, who had been convicted of manslaughter. Since then, there had been almost no cases.

43. **Mr. Pita** (Tuvalu) said that he welcomed the comments on temporary special measures, and the suggestions as to how they could be beneficial for Tuvalu, notably with regard to the number of female Members of Parliament. At the same time, it had been the Government's policy, since independence to ensure equal opportunity for everybody, men and women. There was no legal or policy obstacle that would prevent any woman or man from seeking election as a Member of Parliament or applying for any vacancy in the civil service.

44. **Mr. Seluka** (Tuvalu) said that in pursuing strategies to eradicate stereotypes, the Government's overriding need was for funding, and it was most fortunate that some of the national programmes had attracted support from donors. One such programme, run by the Ministry of Home Affairs, sought to enhance the role of women in decision-making with a view to changing perceptions and eradicating the stereotypes

about their roles. It was important to target community leaders in such programmes. A study of traditional cultural practices was being carried out, with a view to improving understanding of how such practices hindered the participation of women in decision-making and planning.

45. With regard to the question related to the use of the media, he said that Internet access had recently arrived in the outer islands. It remained to be seen exactly how that could be used, but it could perhaps be an effective means of disseminating information and awareness to women in those parts of the country.

46. *The Chairperson invited the Committee to put follow-up questions.*

47. **Ms. Pimentel** suggested that the Committee's General Recommendation No. 19 was a very valuable tool for making progress on the issue of violence against women. It was enormously important that there should be a specific law on domestic violence, because it was of a different nature from other violence, taking place within the family and within the home, and because it was often perceived as a natural occurrence. She would be interested in the delegation's views on her suggestions.

48. **Ms. Neubauer** asked whether gender equality and the objectives of the Plan of Action to improve the situation of women were among the priorities when Tuvalu was negotiating for funding from donors. If gender equality was not made a priority, the activities needed to achieve it would not be funded adequately. Noting that a great deal of work that should be the responsibility of the Department of Women's Affairs appeared to be carried out by civil society, she sought information on how the Government would effectively develop and implement a comprehensive policy to achieve the objectives of the Convention.

49. **Ms. Chutikul**, observing that children learned violence from experience, asked whether there were any regulations about corporal punishment in schools, and also whether parents were allowed to use physical punishment on their children.

50. Recalling that it had been said that it was not the norm for girls to drink alcohol, she asked about the situation of men and alcohol, since men's consumption of alcohol usually led to violent and undesirable behaviour.

51. **Ms. Begum** asked whether, since Tuvalu lacked any legislation to protect its women against violence, there were any plans to introduce legislation which would criminalize domestic violence. She too considered that the use of alcohol was the root cause for many acts of violence, and asked what measures had been taken to address the issue.

52. **Ms. Awori** also felt that there should be a comprehensive law on domestic violence, to clarify the meaning of the concept. Even a small slap was violence. There was a need for training and awareness, so that everyone in the islands, men and women alike, would understand the seriousness of the offence and the need to report occurrences of it. She suggested that it might not be adequate for victims of domestic violence to go to stay with relatives. What was needed was a neutral place where the victim would feel safe.

53. **Ms. Murillo de la Vega** said that she was concerned at the response of the delegation to the effect that, while Tuvalu did have measures in place to deal with domestic violence, such cases were generally resolved by cultural tradition. When tradition ruled public life it was very difficult to modernize and attain significant levels of development. The same applied to the requirement that a woman obtain her husband's permission to stand for political office. Was tradition so important that it could not be adapted to modern times?

54. **Mr. Telavi** (Tuvalu), responding to the questions about violence against women and the creation of specific laws against it, explained that the Police Powers and Duties Act, empowering the police to intervene in a situation of domestic violence, was a first step. The matter of updating or modifying the Penal Code was something that would have to be examined upon the delegation's return, in cooperation with the Attorney-General. The country would probably also need technical assistance in drawing up a specific law against domestic violence.

55. The matter of shelters for victims of domestic violence, too, was something to be looked into. In the cultural context of Tuvalu, the existence of a shelter, especially constructed for victims of violence, might even encourage such violence. He repeated that in the islands' culture, one's shelter was one's neighbour, who was under an obligation to help.

56. The use of alcohol by men was indeed a problem, which the country was trying to alleviate by means of

awareness programmes about its health effects. Those programmes were the responsibility of the police.

57. The matter of the most appropriate funding arrangement for the Department of Women's Affairs was another thing that he said he would look into upon his return home.

58. **Ms. Seluka** (Tuvalu) recalled that the National Council of Women had in fact organized the construction of a shelter for victims of domestic violence in the 1990s, but because no women used it, preferring to move to another family if they were suffering violence within their own, it was converted into the headquarters of the Council.

59. While agreeing that the use of alcohol by men was a problem, she pointed out that because people lived in open houses, with their extended family, if a man came home drunk and attempted to rape his wife or became otherwise violent, he would usually be restrained by other family members. In the culture of Tuvalu, such behaviour under the influence of alcohol was considered truly shameful.

60. With regard to corporal punishment in schools, the Government had attempted to eliminate it, but parents did not support such efforts. In consequence, it had been agreed that only the head teacher would be allowed to administer physical discipline. However, she had received extensive training on the Convention on the Rights of the Child and human rights in general, and very rarely resorted to corporal punishment.

Articles 7 and 8

61. **Ms. Belmihoub-Zerdani** suggested that women in Tuvalu should have access to all posts of responsibility and should join with men to plead together in the various international forums for action to save their people and their lands from the threat of rising sea levels caused by climate change.

62. **Mr. Flinterman**, stressing the importance of nationality as the gateway to other civil and political rights, said that it was unclear whether the provisions of the Constitution in relation to citizenship were fully compliant with article 9, paragraph 1, of the Convention. Given that dual citizenship was not permitted under the Constitution, he wondered whether a Tuvaluan woman who married a foreign national would have to renounce her Tuvaluan nationality in the event that the domestic law of her husband's country

required her to assume his nationality, and whether in that case she was automatically entitled to regain her Tuvaluan nationality if she was subsequently divorced. Further clarification would also be welcome regarding paragraph 9.7 in part II of the report, which indicated that paragraph 45 of the Constitution discriminated against Tuvalu women who might have children in a range of possible scenarios (even rape) in a country with which Tuvalu was at war, including Tuvalu itself during occupation.

63. **Ms. Apinelu** (Tuvalu) said that the Citizenship (Amendment) Act 2007 now enabled Tuvaluan citizens to hold dual citizenship. The parliament was also forbidden to enact laws denying any Tuvaluan citizen his or her citizenship and persons who had lost Tuvaluan citizenship were entitled to reclaim it. A woman who had renounced her Tuvaluan nationality by marrying a foreign man would therefore be entitled to regain it in the event of her divorce. The provisions of paragraph 45 of the Constitution cited by the Committee member related to the country's historical background of colonialism; they would be reviewed and probably amended.

64. **Mr. Pita** (Tuvalu) pointed out that the highest point of Tuvalu's territory averaged about two metres above sea level, which highlighted the adverse effect of climate change on the State, especially in terms of rising sea levels. Women participated actively in Tuvaluan delegations to international conferences and the country's climate change officer was female; she was directly involved in negotiations for the forthcoming conference in Copenhagen. Opportunities, including in the area of advocacy on climate change, were granted on an equal basis, according to merit.

Articles 10 to 14

65. **Ms. Murillo de la Vega**, referring to article 10, noted that although there were no major differences in the number of boys and girls enrolled in primary and secondary school, the differences were very pronounced at the graduate level. She wondered whether any studies had been carried out to determine why that was so. Education was vital in helping people to understand their rights and enabling their participation in political life. In that connection, she was surprised that more women had not put themselves forward to serve on the Kaupule standing committees and wondered whether that might be attributable to a lack of family support. With regard to the enforcement

of compulsory basic education, mothers and fathers were equally responsible for ensuring that their children attended primary school.

66. **Mr. Bruun** said that the State party was to be congratulated for its work to eliminate discrimination against women under very particular circumstances. With reference to article 11 of the Convention, the report did not provide a full picture of female participation in employment and economic activity. He would appreciate additional information on the organization and management of fishing, a very important economic activity in Tuvalu. It would be useful to know whether the female population took part in that activity and whether their participation might be affected by stereotypical perceptions. With regard to maternity leave, which was a key way of enabling women to take part in economic activity, although the State party had indicated that in practice women received full pay for the duration of their maternity leave, the statutory provision of 12 weeks' paid leave and no less than 25 per cent of wages left some room for improvement. It would therefore be useful to learn whether the State party had considered extending the period of maternity leave and guaranteeing full pay for the duration of the leave.

67. **Ms. Bailey** commended the delegation for providing detailed information disaggregated by sex and location. Speaking with reference to article 10, she noted that the Education Act provided compulsory basic education for all children from age 6 to 15. While boys and girls clearly enjoyed equal access to education at the primary level, there were some problems at the secondary level, specifically in relation to students "pushed out" of school owing to a lack of resources, as mentioned in paragraph 10.28 in part II of the report. The State party should clarify whether the situation would be addressed and should provide in its next report sex-disaggregated data on "push-outs", together with specific information on the impact of that situation for female students. The school dropout rate for girls had repercussions in a number of areas, including employment, health, poverty and levels of teenage pregnancy.

68. Female participation in tertiary education, as well as the proportion of scholarships received by women, was encouraging; however, an explanation of the dramatic decline in the number of tertiary-level students of both sexes in the period from 2000 to 2004 would be welcome. Sex segregation at the tertiary level

was an area of concern, since women were over-represented in subjects such as arts, education and health, underrepresented in information technology, and altogether absent from maritime studies. Furthermore, women tended to study for diplomas rather than degrees, while the reverse was true for men, which had implications for occupational segregation, opportunities beyond the tertiary level and the wage gap. The underrepresentation of women in technology subjects was clearly linked to curricular segregation in schools. Since the report indicated that the State party intended to address the problem by making science education compulsory for girls, the Committee would appreciate additional information on the timeline for achieving that goal, as well as for addressing gender stereotypes in school text books.

69. It was important to acknowledge that corporal punishment was a form of physical violence. Its use in homes or schools fostered a culture of violence, which had serious implications for both sexes in adult life, though women were disproportionately affected as victims in the home and the public sphere. Bearing in mind that the State party had indicated in its Universal Periodic Review in the Human Rights Council that it was committed to building awareness and reviewing its legal provisions on corporal punishment as part of its efforts to bring domestic laws and practices into line with international human rights standards, she would welcome an update on any progress made since then.

70. **Ms. Pimentel**, referring to article 12, noted with concern that contraceptive use had decreased and teenage pregnancy had risen in Tuvalu, while abortion was a criminal offence. The rise in teenage pregnancies contradicted the assertion in the State party's response to question 21 of the Committee's list of issues and questions that women had developed a greater understanding of their rights, were more able to refuse forced sex, and were more aware of safe sex methods. The Committee would also welcome more information on the question of abortion, since the response to question 22 of the list of issues and questions, indicating that the Government would consider a review of the Penal Code in the near future, was rather vague. The State party should also explain what difficulties rural women faced in obtaining health care, what measures had been taken to improve the situation and why no social response or political framework had been established to address the specific problems faced by women with disabilities.

71. **Ms. Neubauer** asked for more concrete information on the current legal and regulatory framework for abortion, since the State party had remained silent about the extent of legal and illegal abortions. The State party was requested to provide any available data on the number of legal abortions carried out, and to indicate what factors, in addition to the need to preserve the mother's physical health, were recognized as grounds for legal abortion. It should also clarify how a woman would obtain an abortion in Tuvalu. In view of the rise in teenage pregnancies, sexually transmitted infections and HIV/AIDS, as well as the decrease in contraceptive use, the provisions of article 12 of the Convention regarding women's access to health-care information and education on a basis of equality with men should be emphasized. Noting that the conservative nature of Tuvaluan society made it difficult for parents and teachers to discuss reproductive health issues with children, and that the Ministry of Education was therefore devising methods of incorporating family life education in the school curriculum, she wondered whether that education would be gender-sensitive and whether it would incorporate the principle of equality between women and men in terms of their responsibility for reproductive and sexual health.

72. **Mr. Pita** (Tuvalu), acknowledging his country's heavy dependence on the sea, said that Tuvaluan tradition did not prevent women from participating in fishing activities; in fact, women traditionally enjoyed equal opportunities with men in almost all spheres and were free to seek employment in fisheries-related sectors. With regard to maternity leave, financial constraints meant that the Government was currently unable to improve on existing statutory provisions; however, the Tuvaluan people were committed to their country's national development and understood that some personal sacrifices had to be made to that end. Corporal punishment had traditionally been practised in schools, but that was no longer the case and perpetrators would be subject to disciplinary action.

73. Concerning the segregation of study programmes for female and male students, the principle of equal opportunity had always applied in theory, though a lack of Government resources had in practice limited students' choices. It was now compulsory to offer all subjects to both female and male students, and women were increasingly taking up the opportunities available to them, based on their individual preferences.

The meeting rose at 1 p.m.