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## UPR Intervention for Tuvalu, 16<sup>th</sup> Session April 24, 2013

The United States welcomes **[head of delegation]** and the Tuvaluan delegation.

We would like to express our appreciation for Tuvalu's efforts and accomplishments in promoting human rights. We commend Tuvalu for its free and fair parliamentary elections in 2010.

We welcome Tuvalu's participation in a sub-regional audit support program, an initiative of the Pacific Association of Supreme Audit Institutions, with the goal of promoting official transparency. We encourage continued participation in this program.

We welcome the progress Tuvalu has made in increasing school attendance for girls, and recognize that women increasingly hold positions in the health and education sectors and head a number of NGOs. Pelenike Isaia's (Peh-leh-KNEE-kay Ee-SIGH-uh) election to Parliament in 2011 and her current position as Minister of Home Affairs serves as an excellent example of the increasing participation of women in Tuvaluan politics.

We express our condolences for the loss of Finance Minister Lotoala Metia (Loh-toh-AH-lah MAY-tee-uh) in December 2012. We note that a by-election has not yet been organized as required by the constitution. This continued vacancy deprives the people of the district of Nukufetau (NOO-koo-FAY-ta) full democratic representation.

We note with concern reports that members of certain religious organizations have been threatened with arrest for alleged breaches of the Religious Organizations Restriction Act. This act does not authorize arrest for violations, but rather prescribes fines. The limitations in the Act on the free practice of religion are inconsistent with the Universal Declaration of Human Rights.

We also note with concern that sexual relations between males is illegal, with maximum penalties of seven to 15 years' imprisonment. We strongly support the de-criminalization of consensual sexual relations between adults.

The United States makes the following recommendations:

1. Organize a by-election in Nukufetau (NOO-koo-FAY-ta) as soon as practicable;

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2. Implement the Religious Organizations Restriction Act of 2010 consistent with its terms and with full respect for international religious freedom;
3. Support repeal of the provision of the Penal Code criminalizing consensual sex between adult males;