



Project Report

UN Human Rights Treaty Body Follow-up Review Pilot in the Pacific Region

Testing a new procedure in the Treaty Body
state reporting cycle at regional level

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Introduction

From 28 to 30 November 2023, the [Geneva Human Rights Platform](#) (GHRP) – in partnership with the [Pacific Community](#) (SPC) and the [Commonwealth Secretariat](#) (COMSEC) – conducted its third and final United Nations (UN) human rights treaty body (TB) follow-up review pilot in Nadi, Fiji. This event was the third in a [series](#) aimed at evaluating the effectiveness of conducting TB follow-up reviews at the regional level, bringing the TB system closer to those directly affected.

Unlike in [Sierra Leone](#) (2021) and [Grenada](#) (2022), which were in-country pilots, this follow-up review pilot in the Pacific region involved multiple member States and therefore allowed to explore the benefits of hosting such reviews in regional/sub-regional UN hubs as a way to maximize their strategic role. The recent agreement by all TBs to establish a new “eight-year review cycle for full reviews with follow-up reviews in between” ([Conclusions of the 34th Annual Meeting of Chairpersons, 2022](#)) offered the opportunity to test how such follow-up reviews could function when taking place at regional levels.

Specifically, the countries of Fiji, Tonga and Vanuatu were selected for this pilot. The choice of these countries reflected the need to ensure that the pilot be inclusive and responsive to the diverse contexts and experiences of Pacific Island States, whilst maximising the strategic role of UN regional/sub-regional headquarters. The pilot project involved three key TBs: the Committee on the Elimination of Discrimination against Women (CEDAW), the Committee on the Rights of the Child (CRC), and the Committee on the Rights of Persons with Disabilities (CRPD).¹ These bodies were chosen due to the three participating States’ ratification and reporting status.

The purpose of this report is to provide an overview of the follow-up review pilot in the Pacific region - its *scope, planning and logistics*, and to evaluate *its short-term outcomes and lessons learned*. Two sets of evaluation forms (pre and post activity) given to the national participants were used to analyse the outcomes of the pilot and the lessons learned. In the appendices, this report also includes the *programmatic documentation* of the pilot (agenda, follow-up review questionnaire, list of participants). In addition, the GHRP - in collaboration with the three participating TB members – will draft a *compilation of updates on the recommendations under follow-up review*. These updates – the substantive outputs of the TB follow-up review pilot - are the result of exchanges between the TB members and the national stakeholders who participated in each of the dedicated sessions, namely, representatives of the relevant ministries, NHRI/Offices of the Ombudsman and civil society organisations (CSOs). This

¹ The CEDAW and CRPD have adopted a written follow-up procedure. The CRC had not yet adopted a follow-up procedure per se, which led to an ad-hoc selection of recommendations under follow-up review. The methodology for selection is explained in p.4 below.

compilation will be shared with the relevant national authorities and the three TBs, thus informing the next cycle of official reviews.

Project partners and participants

The GHRP, SPC's Human Rights and Social Development Division and COMSEC's Human Rights Unit coordinated the pilot project, following consultations with the Office of the Attorney General and the Ministry for Women, Children, and Social Protection of Fiji, as well as the Ministries of Justice of Tonga and Vanuatu. TB-NET, SPC and COMSEC provided their networks to engage with civil society representatives from the three countries. The GHRP briefed and consulted with the OHCHR and the chairs of three TBs on the selection of participating TB members and the recommendations for consideration under follow-up review.

A total of 52 participants attended the three-day event in Nadi, Fiji, ensuring adequate representation of the various national stakeholders of CEDAW, CRC and CRPD.

The team involved in the planning and implementation of the pilot included 3 TB members and 13 staff from the GHRP, SPC and COMSEC:

- Representatives from the TBs, participating in their personal capacity:
 - Marianne Mikko (Estonia), member of the Committee on the Elimination of Discrimination against Women
 - Bragi Guðbrandsson (Iceland), member of the Committee on the Rights of the Child
 - Rosemary Kayess (Australia), member of the Committee on the Rights of Persons with Disabilities
- Out of the 13 staff, representatives from the *core planning group*:
 - Felix Kirchmeier, Executive Director, GHRP
 - Domenico Zipoli, Research Fellow and Project Coordinator, GHRP
 - Yashasvi Nain, Human Rights Adviser, Human Rights Unit, Commonwealth Secretariat
 - Ashley Bowe, Chief of Party, Human Rights and Social Development Division, SPC
 - Alifeleti Soakai, Governance Advisor, Human Rights and Social Development Division, SPC

The composition of the government and non-governmental stakeholders participating in the pilot project included a total of 36 representatives from various governmental

and non-governmental institutions. The national participants were selected according to three groups of stakeholders:

- 21 representatives from the relevant ministries from the three participating countries, including members of inter-ministerial committees serving as National Coordinating Committee on Human Rights (NMIRFs).
- 3 representatives from statutory bodies with a human rights mandate (NHRIs and Offices of the Ombudsman).
- 11 representatives from national CSOs, divided among the three TBs' areas of competence.

The full lists of participants can be found in Annex C.

Planning and logistics

Building on the effective methodologies established in previous TB follow-up review pilots in Africa and the Americas, the GHRP and COMSEC decided to expand their collaboration. They identified the Pacific region as the next beneficiary of the TB follow-up review pilot series, taking into account the unique capacity challenges and geographical constraints inherent to Pacific Island States. Recognising the Pacific Community (SPC) for its notable experience in organizing the [84th Extraordinary Outreach Session of the Committee on the Rights of the Child \(CRC84\)](#) in Samoa and as a key regional intergovernmental organisation working on technical assistance on human rights issues, SPC proved to be the ideal partner for this third pilot project. Consequently, the three partner institutions began a comprehensive mapping exercise and developed country-specific "follow-up review working tables" including:

- a detailed treaty body reporting history;
- a collation of follow-up recommendations issued by various TBs;
- relevant recommendations from other UN human rights mechanisms; and
- mapping of Pacific Island countries' national human rights systems, based on national ministries, departments and agencies, independent state institutions, and CSOs that participated in TB and UPR cycles in the past (either as part of delegations or through contributions to state reports/parallel reports).

Following such an analysis, Fiji, Tonga and Vanuatu were identified as suitable third pilot countries. In this context, the GHRP, the SPC and COMSEC prepared a functional timeline, divided into the following six steps:

Step 1: Selection of participating countries for the pilot project (6 March – 12 September 2023)

The preparatory phase for the TB follow-up review pilot in the Pacific commenced in early 2023, marked by initial discussions with the key partners of the planning group. From March to mid-May 2023, the Pacific Community (SPC) held initial dialogues with the government of Fiji, Tonga, and Vanuatu. Simultaneously, COMSEC held discussion with the permanent missions in Geneva, and helped to present the concept

and objectives of the project to assess the scope, viability, and positive responses from the three governments.

While all three governments agreed to participate by June 2023, the formal agreement of the Government of Fiji to co-host the pilot was approved by a Cabinet decision on [September 12, 2023](#). Subsequently, it was agreed to conduct the follow-up review pilot sessions from November 28 to 30, 2023 in Nadi, Fiji.

Step 2: Selection of participating TBs and identification of recommendations under follow-up review (3– 15 April 2023)

Following the initial agreement of the three governments to participate in the pilot, selection turned to those TBs that had issued their latest COBs within the last 10 years and had not yet received a response to the respective recommendations for follow-up.

Fiji, Tonga and Vanuatu therefore agreed to include the following TBs in the follow-up review pilot:

Fiji

- Committee on the Elimination of Discrimination against Women ([CEDAW/C/FJI/CO/5](#), 2018)
- Committee on the Rights of the Child ([CRC/C/FJI/CO/2-4](#), 2014)

Tonga

- Committee on the Rights of the Child ([CRC/C/TON/CO/1](#), 2019)

Vanuatu

- Committee on the Elimination of Discrimination against Women ([CEDAW/C/VUT/CO/4-5](#), 2016)
- Committee on the Rights of the Child ([CRC/C/VUT/CO/2](#), 2017)
- Committee on the Rights of Persons with Disabilities ([CRC/C/VUT/CO/2](#), 2017)

As described in the project's concept note, the follow-up review pilot would provide an opportunity to the member states to provide updates on the status of implementation of the recommendations for follow-up issued by the selected TBs. As such, the pilot organizers and participating TB members based their identification of recommendations that the TBs themselves considered as "urgent, priority or protective, and implementable within one or two years". As the CRC has not yet adopted a follow-up procedure per se, the recommendations selected were those that the Committee considered as "not yet implemented or sufficiently implemented". Thus, the CRC-specific follow-up review sessions would focus on the issues deemed most urgent, following the official findings of the Committee.

The *follow-up recommendations* below were identified as subject of the follow-up review (“recommendations under follow-up review”)²:

Fiji

- Committee on the Elimination of Discrimination against Women ([CEDAW/C/FJI/CO/5](#), 2018)
 - para. 16(a): access to justice
 - para. 28(c)-(d): gender-based violence against women
- Committee on the Rights of the Child ([CRC/C/FJI/CO/2-4](#), 2014)
 - para. 13: allocation of resources
 - para. 15: data collection
 - para. 25: birth registration
 - para. 31 corporal punishment
 - para. 33: sexual exploitation and abuse
 - para. 40: children with disabilities

Tonga

- Committee on the Rights of the Child ([CRC/C/TON/CO/1](#), 2019)
 - para. 28: respect for the views of the child
 - para. 35: abuse, neglect and sexual exploitation and abuse
 - para. 40: health and health services
 - para. 50: mental health
 - para. 52: adolescent health
 - para. 54: impact of climate change on the rights of the child
 - para. 56: education, including vocational training and guidance

Vanuatu

- Committee on the Elimination of Discrimination against Women ([CEDAW/C/VUT/CO/4-5](#), 2016)
 - para. 21 (a) – (c): violence against women
 - para. 37: impact of climate change and natural disasters on women
- Committee on the Rights of the Child ([CRC/C/VUT/CO/2](#), 2017)
 - para. 11: allocation of resources

² In order to benefit from the latest outputs issued by the TBs, the recommendations for follow-up were reinforced by relevant issues listed under more recent list of issues prior to reporting and follow-up letters. For Fiji: [CEDAW/C/FJI/QPR/6](#) (2022) and [CRC/C/FJI/QPR/5-6](#) (2021). For Vanuatu: [MK/follow-up/Vanuatu/71](#) (2018)

- para. 16: dissemination, awareness-raising and training
- para. 25: corporal punishment
- Committee on the Rights of Persons with Disabilities ([CRC/C/VUT/CO/2](#), 2017)
 - para.13: women with disabilities
 - para. 41: education

Once the recommendations were identified, the GHRP compiled all the recommendations that were subject to review into one document, the “follow-up review questionnaire” (See Annex B), pending approval by the participating TB members. This document represents the core instrument issued to the government and various stakeholders engaged in the follow-up review pilot.

Step 3: Selection of participants for the follow-up review pilot (15 April 2023 – 21 October 2023)

The GHRP, the SPC and COMSEC coordinated the selection and invitation of participants for the follow-up review pilot according to five main categories: TB members, UN agencies, government representatives, NHRI/Office of the Ombudsman and CSOs.

TB Members (the “TB delegation”)

During the preparatory phase of the pilot, the GHRP briefed the Chairs of the three TBs through email exchanges, who then consulted their Bureau. The GHRP then contacted the nominated members to confirm their participation and inform them of the nature of the exercise, including their agreement to the identified recommendations under the follow-up review.

UN Agencies

The GHRP consulted with relevant OHCHR staff, including the Chief of the Human Rights Treaties Branch, the Director of the Groups in Focus Section of the Human Rights Treaties Branch, the Secretaries of the three TBs, the TB Capacity Building Programme and the OHCHR Regional Office for the Pacific. Due to the regional focus of the pilot and relevance to the selected TBs, other UN agencies based in Suva, Fiji, were also contacted, including UN Women, UNICEF and UNDP.

Government representatives - the “national taskforce”

The GHRP, SPC and COMSEC invited the lead ministries/agencies assigned to this pilot from the three participating countries to establish a “national taskforce”, comprising representatives from all relevant ministries, to coordinate collaboration prior to and during the follow-up review pilot.

The Ministry for Women, Children, and Social Protection of Fiji and the Ministries of Justice of Tonga and Vanuatu played a key role in selecting the 21 ministerial representatives and coordinating their preparation for the follow-up review pilot.

Statutory bodies with a human rights mandate and CSOs

The SPC also reached out to three statutory bodies with a relevant human rights mandate, namely the Human Rights and Anti-Discrimination Commission of Fiji, the Office of the Ombudsman of Tonga and the Office of the Ombudsman of Vanuatu. Following the bilateral meetings, one representative from each institution was invited to participate in the follow-up review pilot.

In addition, the SPC, in consultation with GHRP and COMSEC, compiled a list of national CSOs that were actively involved in monitoring and reporting to the three TBs. The selection of CSOs was based on parallel reports submitted during the last review cycle, as well as ongoing collaboration between SPC, TB-NET member organizations and CSOs from Fiji, Tonga and Vanuatu. A total of 11 CSO representatives were invited, divided between the three TBs' areas of competence.

The full list of participating national stakeholders can be found in Annex C.

Step 4: Briefings with national stakeholders (21 October 2023 – 15 November 2023)

The GHRP, SPC and COMSEC organized several online meetings to brief all national stakeholders on the modalities of the focused review. These briefings were tailored to each of the three categories of national stakeholders:

- Specifically for the members of the three government delegations, the SPC, GHRP and COMSEC organized three country-specific online briefings in the weeks leading up to the follow-up review pilot session (23, 24 and 28 October 2023). During these briefings, the Ministry for Women, Children, and Social Protection of Fiji also proposed a series of visits to take place the day before the three-day pilot review session.
- The GHRP and SPC also organized two separate online briefing sessions with representatives of CSOs and representatives of the statutory bodies (14 November and 15 November 2023).

Step 5: Submission of follow-up review questionnaire to national taskforce, NHRI/Offices of the Ombudsman and CSOs (10 - 13 November 2023)

After the three participating TB members agreed on the recommendations under follow-up review, the GHRP finalized the follow-up review questionnaire and prepared it for submission to all participating national stakeholders. This document contained the compilation of the identified recommendations under follow-up review. Between 10 and 13 November, the GHRP, SPC and COMSEC shared the follow-up review

questionnaire with the three national taskforces, the statutory bodies and CSO representatives.

Step 6: National stakeholders submit reply to follow-up review questionnaire (by 24 November 2023)

As part of the follow-up review pilot, all participating national stakeholders had the opportunity to submit a written reply/responses to the recommendations in the follow-up review questionnaire by 24 November 2023. The organizers considered this to be a reasonable timeframe given the timing of when the national stakeholders received the questionnaire, the limited number of recommendations under the follow-up review and the time required by the TB delegation to prepare the dialogues during the follow-up review pilot sessions.

The purpose of these replies was to inform the TB delegations on the progress made by the government in implementing the identified recommendations.

A total of 12 submissions were received:

- 2 submissions from the Fiji national taskforce, led by the Ministry of Women, Children and Social Protection, who compiled information from all participating ministries into CRC and CEDAW-specific submissions.
- 2 submissions from the Fiji Human Rights and Anti-Discrimination Commission, related to the CRC and CEDAW recommendations for follow-up.
- 2 submissions from Fijian CSOs (Fiji Women Lawyers Association and Fiji Women Rights Movement) related to the CRC and CEDAW recommendations for follow-up.
- 1 submission from the Tonga national taskforce, led by the Ministry of Justice.
- 3 submissions from the Vanuatu national taskforce, led by the Ministry of Ministry of Justice and Community Services who compiled information from all participating ministries into CRC, CEDAW and CRPD-specific submissions
- 2 submissions from Vanuatu CSOs (Vanuatu Disability Promotion and Advocacy Association and Transparency International Vanuatu) related to the CRC, CEDAW and CRPD recommendations for follow-up.

Upon receipt, the GHRP promptly forwarded each submission to the TB delegation for analysis and preparation toward the follow-up review pilot session.

Step 7: The follow-up review pilot session (28 -30 November 2023)

The pilot session was held over three days, from November 28 to 30, at Tanoa International Hotel conference facilities in Nadi, Fiji. The agenda of the session can be found in Annex A. Preceding the substantive discussions, a half-day of *in-situ* visits to relevant institutions took place on November 27. Below is a brief overview of the proceedings.

November 27 (half-day) – in situ visits

Prior to the follow-up review sessions, the Ministry of Women, Children and Social Protection of Fiji organized a half-day of visits to institutions relevant to the TB recommendations under follow-up review.

The schedule for the visits was as follows:

- 10-11:30am: [National Council of Persons with Disabilities](#) (Western Office)
- 2 – 3:30pm: [Treasure House Children's Home](#)

These visits allowed the TB delegation to witness first-hand two institutions that are actively working on specific intersectional issues related to the recommendations under follow-up review. These visits focused on the situation of persons with disabilities, including children, and those affected by corporal punishment and abuse. This pre-review field visit allowed the TB members to gain first-hand insights into national efforts and challenges in these specific areas. The visits highlighted the realities faced by these vulnerable groups and the commitment of those working on the ground, while also highlighting the need for more resources and support to tackle these complex issues.

November 28 – opening ceremony

The opening ceremony, which was attended by all participants, featured a series of introductory speeches from key national authorities and the organizers of the pilot project. The list of speakers included the following:

- Honourable Lynda Tabuya, Minister for Women, Children, and Social Protection, Fiji (video statement)
- Mr. Pacco Siri, Acting Director General, Ministry of Justice and Community Services, Vanuatu
- Anna Laulaupea'alu, Acting Director of the Family Protection Legal Aid Centre, Ministry of Justice, Tonga
- Mr. Miles Young, Director of the Human Rights and Social Development Division, Pacific Community - SPC
- Mr. Felix Kirchmeier, Executive Director, Geneva Human Rights Platform
- Mr. Yashasvi Nain, Human Rights Adviser, Commonwealth Secretariat
- Ms. Rosemary Kayess, Vice-Chair of the UN Committee on the Rights of Persons with Disabilities

In the opening segment, Mr. Domenico Zipoli, Research Fellow and Project Coordinator of the GHRP, gave a presentation on the purpose and methodology of the TB follow-up review pilot series.

Additionally, all participants received a “pre follow-up review evaluation form” at this session. This form was designed to assess their existing knowledge and experience related to engagement with TBs and to gauge their expectations from the pilot sessions.

November 28 (full day) – informal closed-door briefings with NHRIs, Offices of the Ombudsman and CSOs

During the first day, the Treaty Body (TB) delegation conducted closed-door briefings with National Human Rights Institutions (NHRIs), Offices of the Ombudsman, and CSOs from Fiji, Vanuatu, and Tonga. The primary objective of these sessions was to provide the TB delegation with comprehensive insights into the respective governments' responses, both proactive and lacking, to the recent follow-up recommendations issued by CEDAW, CRC, and CRPD. These meetings, modeled according to official TB practice in Geneva, were held in confidence to allow for an open and unrestricted dialogue between the CSOs and TB members, deliberately excluding government representatives to maintain confidentiality.

The agenda included:

- Closed-door briefings with the Human Rights and Anti-Discrimination Commission of Fiji, the Office of the Ombudsman of Vanuatu, and the Office of the Ombudsman of Tonga, each lasting 45 minutes.
- Similar closed-door briefings with CSOs from Fiji, Vanuatu, and Tonga, also 45 minutes each.

Representatives from the GHRP, SPC and COMSEC served as moderators throughout these briefings. Each session began with concise presentations from representatives of each group. Following these presentations, the TB delegation engaged in a thorough discussion, asking follow-up questions and seeking further clarifications. This format, allowed TB delegation to actively participate, ask questions, and contribute their expertise, fostering collaboration between the committees. The sessions then transitioned to an open forum, allowing for a dynamic exchange between the NHRI/Office of the Ombudsman/CSO representatives and the TB delegation.

November 29 (full day) and November 30 (morning sessions) – follow-up review pilot sessions with Fiji, Vanuatu and Tonga government representatives

The second day and the morning of the third day of the event were dedicated to follow-up review sessions with government representatives from the three countries. The schedule was organized into back-to-back sessions, each focusing on a specific TB. Full participation of each national taskforce and the TB delegation in their designated country-specific sessions was mandatory. This approach was crucial for bridging the traditional divides between TB responsibilities and ministerial duties, from both a substantive and technical assistance standpoint. Following the format of official sessions in Geneva, the session for the states was open to representatives from NHRI, Office of the Ombudsman, and CSOs, who attended as observers during these sessions.

Follow-up review sessions for the three TBs were conducted with the government representatives from Fiji, Vanuatu and Tonga, along with their respective national taskforces that was part of the delegation. Each session lasting for two hours was moderated by the representatives from the GHRP, SPC, and COMSEC. Each session commenced with a brief introduction by the respective TB member, aiming to incorporate a capacity-building element. This introduction provided an overview of the Committee's operations and detailed explanations of substantive provisions of the treaty. The delegation then presented updates on the government's progress in implementing the relevant recommendations, followed by a constructive dialogue modeled according to official TB practice in Geneva between the head of delegation, other national taskforce members and TB members.

These TB-specific sessions served as valuable forums for constructive discussions on various critical issues. Topics included gender-based violence against women and girls, the impact of climate change and natural disasters on the rights of women and children, corporal punishment, and the challenges faced by women and children with disabilities.

[November 30 \(afternoon sessions\) - Capacity building workshop, lessons learned, benefits and challenges of the follow-up review pilot and closing session](#)

On the afternoon of the third day, with all participants in attendance, the event concluded with a dedicated capacity-building segment. This segment provided a platform for government delegations, National Human Rights Institutions (NHRIs)/Offices of the Ombudsman, and Civil Society Organization (CSO) representatives to interact directly with the TB delegation. Participants seized this opportunity to seek information on strategies to implement recommendations and gain a better insight into the committees' expectations in terms of reporting and follow-up procedures.

Additionally, a dedicated session was conducted to facilitate an open discussion about the insights gained, as well as the advantages and challenges encountered during the follow-up review pilot. This session included a round-table discussion, where each participant gave a brief insight into the benefits and challenges they had experienced during the follow-up review pilot. These first-hand accounts formed the basis for the subsequent outcome analysis of this report. To measure the effectiveness and impact of the session, participants were requested to complete a "post-follow-up review evaluation form" to determine whether the session met their expectations and to understand the potential impact of a regional-level follow-up review on their participation in the TB review process.

The pilot project ended with a closing session, which was introduced by a keynote (video) address from the Attorney General of Fiji, Honorable Siromi Turaga. In his address, he emphasized the value of the regional TB sessions and the importance of TB's close engagement with countries and policymakers globally. He pointed out the

need to recognize and respect cultural contexts in order to successfully implement universal human rights principles. The success of this pilot project underscores the importance of regional follow-ups in the broader context of human rights advocacy and implementation.

The GHRP, in collaboration with the participating TB members, also drafted a confidential *compilation of updates on the recommendations under follow-up review*, detailing specific findings following the follow-up review pilot sessions. This compilation will be shared with the relevant national authorities and the three TBs, thus informing the next cycle of official reviews.

December 1 (full day) - Meetings with the UN Country Team in the Pacific and the Attorney General of Fiji

Following the completion of the pilot sessions, representatives from the GHRP and Ms. Mikko, CEDAW member, visited Suva, to meet the UN Country Team in the Pacific (UNCT) Human Rights Theme Group. This visit provided an opportunity to brief the UNCT Human Rights Theme Group on the outcomes of the TB follow-up review pilot and the viability of regional follow-up reviews. The meeting, chaired by the Office of the High Commissioner for Human Rights (OHCHR Pacific), was attended by several Pacific UNCT agencies, including UN Women, the United Nations Population Fund (UNFPA), and the United Nations Children's Fund (UNICEF).

In addition, the GHRP delegation and Ms. Mikko were invited to participate in a meeting with the Pacific Office of UN Women and a high-level meeting with Honorable Siromi Turaga, Attorney General of Fiji. These discussions focused on the outcomes of the pilot and the practical implementation of TB recommendations in the region. This was particularly relevant in light of the request from the Pacific Islands Forum Women Leaders to organize an [extraordinary CEDAW session in Fiji in 2025](#).

Media coverage

The TB follow-up review pilot project in the Pacific has generated significant media coverage. The Fijian Broadcasting Corporation's team was present at both the opening and closing sessions of the event. This presence led to a series of interviews with both TB members and organizing partners, highlighting the importance of the event for the region and for the people.³ The extensive media coverage has played a pivotal role in raising awareness among the general public and Civil Society Organizations (CSOs) about the treaty body mechanism and its significance in promoting the protection of human rights at the national level. The dissemination of information through media channels has effectively conveyed the value of the TB system in advancing human

³ Examples of media coverage include the following: Fiji Times: https://www.fjtimes.com.fj/fiji-to-take-strong-stand-on-review-of-un-treaties/?utm_source=ground.news&utm_medium=referral; Fiji Broadcasting Corporation news: <https://www.fbcnews.com.fj/news/un-treaty-should-reflect-voices-of-the-pacific/>; Fiji Broadcasting Corporation news: - <https://www.fbcnews.com.fj/news/un-committee-hopes-for-better-understanding-of-issues/>.

rights, fostering a sense of collective responsibility and engagement among stakeholders at both local and national levels.

Outcomes and challenges of the regional follow-up review model

The following sections focus solely on the outcomes and challenges specific to the procedural aspect of potential follow-up reviews at the regional level. On the last day of the pilot, all national participants (representatives from government, NHRI/Office of the Ombudsman and CSOs) received a post-activity evaluation form. The 26 responses from these participants formed the basis for the following analysis of the outcomes and challenges of the project.

Outcomes

Improved access for national and local human rights actors across the Pacific region

This was unanimously recognized by the participants as the most widely accepted outcome of the initiative: the expanded scope of participation, which improves the prospects for direct engagement of national stakeholders, including government delegations, NHRIs and CSOs, who are typically excluded in the regular TB proceedings held in Geneva. The primary factors contributing to this inaccessibility are the remote locations of Small Island Developing States (SIDS) in the Pacific, coupled with the prohibitive costs associated with travel and expenses in Geneva. CSOs often lack the financial means to cover such expenditures, and even governments face challenges, resulting in a limited number of representatives being sent in delegations. In instances involving hybrid modalities, insufficient internet quality and significant time differences between the Pacific region and Geneva pose further challenges, impacting the quality of oral submissions and interactions with committees.

In this context, participants perceived that the follow-up review procedure at the regional level yielded several positive results.

Government representatives:

- It significantly enhanced engagement of national stakeholders with TB by fostering increased participation from wide range of stakeholders including grassroots level organisations.
- Facilitated participation of many representatives from various government ministries, departments, and agencies (MDAs) directly responsible for reporting data collection, and implementation of recommendations in a TB session and directly engage with TB members for the first time. This presented a unique opportunity that instilled a sense of responsibility, improved their understanding of the expectations of treaty body members, foster a deeper understanding of substantial treaty provisions, and ultimately, encouraged greater contributions to the work of TBs.

CSO representatives:

- Potential adoption of this model of regional reviews was viewed as highly beneficial, given its cost-effectiveness and its capacity to facilitate broader participation from disadvantaged groups such as women's group, persons with disability and minorities. The proximity of this model to national and regional stakeholders, as opposed to a distant location, was considered a significant advantage for both government and other stakeholders including CSOs and NHRIs.
- Conducting the review within the region facilitated in-situ visits to relevant national institutions and interaction with public/locals, offered a contextualised dialogue and created a more friendly and comfortable environment for the delegation. This marked a departure from the stringent UN protocols and procedures required throughout the process.

Empowering national stakeholders of multiple countries to better engage in the TB state reporting procedure

Almost all participants have appraised the regional follow-up reviews to be a valuable procedure to support national stakeholders in their monitoring and implementation of TB recommendations and linking these to overlapping recommendations issued by other UN human rights mechanisms. The regional component, which conducts follow-up reviews for multiple countries consecutively at a central regional hub, enables the replication of this result across participating countries and their respective stakeholders.

Government representatives:

- The follow-up review pilot served as an excellent and innovative process for monitoring and evaluating a country's advancements in specific human rights matters.
- It allowed for a deeper unpacking of the written content and facilitates meaningful discussions. Being able to receive immediate guidance from TB members was considered a rare highlight.
- Regional reviews offered a valuable opportunity to learn and participate across the mandate of three conventions, with high levels of interactions between delegations and TB members
- This approach was particularly helpful for the government delegation to identify potential issues overlooked in terms of coordination, reporting, or contentious matters requiring attention. The ability to seek clarification from experts on recommendations was a notable highlight.
- A regional review approach enhanced both the understanding and capacity of government representatives to contribute to the work towards other UN human rights mechanisms, such as the UPR Working Group. It allows to focus on the

questions raised by TBs, ultimately increasing the whole government's engagement in the process.

NHRI/Office of the Ombudsman representatives:

- It assisted greatly in reporting and compliance with the convention requirements. It provided clarity on what the TBs expect in terms of reporting, aligning policies and preparing national stakeholders for future reporting, especially in the monitoring and implementation aspects.
- This collaborative effort empowered participants through the information gathered, aiding in implementation and thereby facilitating reporting.

Heightened precision and consideration for the regional context and realities

The majority of participants expressed their appreciation for the opportunity to engage in discussions addressing context-sensitive challenges encountered by Fiji, Vanuatu, and Tonga when implementing TB recommendations. Several participants indicated that this approach may beneficially complement the conventional preparation for the full TB review, which primarily relies on desk research, email correspondence, and isolated involvement of selected national human rights entities. The focused deliberations on specific recommendations ensured that national stakeholders concentrated their efforts on the most crucial and practical aspects of full implementation. Simultaneously, the experience of being situated within the Pacific region and immersing themselves in the Pacific context during the review period, including on-site visits to significant locations, facilitated a deeper comprehension of the on-ground situation for TB members.

Government representatives:

- The presence of TB members on ground allowed them to gain a deeper understanding of the unique Pacific political and cultural environment.
- Was deemed as the most effective methodology so far observed during human rights monitoring initiatives. It is a rare occurrence to witness TB members engage in open-minded discussions with operational and technical personnel. The members posed questions that led to productive discussions and solutions. They also provided options and ideas while respecting diverse cultures and beliefs. The process effectively addressed unclear concepts related to CEDAW, CRC, and CRPD, enabling national stakeholders to better evaluate their contributions to human rights monitoring and implementation.
- The in-situ visits stimulated discussions during the dialogue with state actors and enabled more precise and contextually relevant questions to be posed.

CSO representatives:

- In-person interactions provided national stakeholders with the opportunity to contextually present their reports more effectively, allowing for increased clarity and extended time for explanation when needed.

Fostering collaboration and peer-to-peer learning among national stakeholders

The pilot initiative yielded substantial benefits in terms of mutual learning and facilitated exchanges between government representatives, CSOs, NHRIs/Offices of the Ombudsman. This mutually beneficial interaction went beyond the follow-up review sessions and also included the preparatory phase as well. During this process, CSO coalitions were formed, and inter-ministerial committees convened meetings with various government ministries and departments to prepare for their participation in the review. This collaborative engagement not only enhanced the quality of the sessions but also promoted knowledge sharing and cooperation among national human rights actors in Fiji, Tonga and Vanuatu.

Government representatives:

- As demonstrated by the Follow-Up Review Pilot in the Pacific, it was highly beneficial for government to have numerous officials from different relevant departments and agencies present during the reviews. It also garnered strong representation from other national stakeholders, fostering collaboration and relationship building.
- The pilot fostered increased coordination among agencies and facilitated data collection through national networks. Participating in this follow-up review has provided valuable insights into identifying gaps and improving efforts in human rights reporting.
- It allowed participants in their respective countries to collaborate effectively in preparation for the review, followed by active participation to the regional review sessions. It facilitated the exchange of diverse strategies among national stakeholders as well as across countries on reporting and implementation of recommendations. In this context, online meetings should only be considered when in-person meetings/sessions are not feasible.

CSO representatives:

- This experience anticipated increased contributions from additional partners towards parallel reporting.

Peer-to-peer learning among countries in the region

Another notable outcome arising from the follow-up review pilot, which was frequently highlighted in feedback from participants, is the promotion of cross-country mutual learning. By bringing several member states together for a multi-day event to a regional hub, the potential for mutual learning on shared challenges in implementation and

effective reporting, as well as the exchange of best practices, is significantly enhanced. These regional reviews also serve a broader purpose by fostering partnerships in the realm of human rights monitoring and implementation that extend beyond national borders. This collaborative approach strengthens the collective capacity to address human rights issues and encourages the sharing of valuable insights among participating member states.

Government representatives:

- It was of great benefit to gain valuable insights through interactions with counterparts from across the Pacific region.
- Conducting a regional dialogue created valuable learning opportunities by allowing them to glean insights from neighboring countries in the region.
- Hosting this regional event offered the chance to engage with neighboring countries, listen, and learn from each other, ultimately enhancing the collective performance within the Pacific.

NHRI representatives:

- It enabled to compare progress with other countries and facilitated mutual learning and collaboration among stakeholders across the region.

Enhanced constructive environment

Interactions between TB members and national human rights actors conducted at regional level offer a conducive setting for informal discussions, in contrast to the more formal dialogues that take place in Geneva. Regional review fostered a sense of comfort among the delegations, enabling them to candidly address the challenges encountered in implementing TB recommendations. Importantly, they were able to delve into regional customs and contextual elements that might be overlooked in the “distant” and “foreign” Geneva environment.

Government representatives:

- The semi-formal approach has instilled confidence in national stakeholders to engage with TBs, fostering mutual understanding of discussed information. Additionally, it has enabled wider participation at a lower financial cost to the government, which is highly beneficial. It is indeed easier to communicate at this level (government)
- The comfort of working within a familiar environment increased the confidence in both government representatives and other stakeholders.
- It enabled direct and productive dialogue between national delegations and TB members, exceptionally present in the region. It allowed for frank discussions

bridging emerging issues with deeply rooted challenges, presenting them effectively to the TB Members. The informal interactions with TB members also proved highly valuable.

- Being physically present for direct dialogue, consultation, response, and interaction with TB members significantly enhances transparency, clarity, and reduces the risk of misinterpretation. This presence provided the opportunities for government representatives to pose direct questions and receive immediate feedback and responses.

CSO representatives:

- This pilot brought 3 TB members to the region – an extremely rare occasion – which allowed for direct dialogue with them - in a setting that has been most conducive. CSOs were able to openly link emerging issues with the existing entrenched challenges and present it to the TB members.
- The opportunity for both government and CSOs to directly engage and interact with TB members was truly exceptional

Amplifying the visibility of the TB system across the region

The presence of TB members in the region served as a valuable opportunity for widespread awareness across participating countries. This includes not only informing the general public through media coverage but also involves engaging diverse stakeholder groups. The fact that TB members were covered by the national media in Fiji was notable, with a team from the national broadcasting corporation present at both the opening and closing of the event. This serves as a concrete illustration of the capacity to elevate the visibility of the TB system by making it more accessible to the general public. Participants unanimously concurred that the pilot initiative, in this regard had the potential for TB members to visit different participating countries, opening up exciting prospects. These visits could be accompanied by the organization of public events such as conferences, roundtables, consultations, and on-site visits.

Government representatives:

- This process familiarises and demystifies the TB system for relevant government ministries and encourages to improve their engagement with the TB system and submit overdo reports.
- It sparked a surge of enthusiasm and commitment within the government ministries and civil society organizations to participate in the TB review, particularly as a result of the informative briefing sessions held in preparation for the follow-up review sessions and media reports during the pilot.

CSO representatives:

- The TB Follow-up Review Pilot in the Pacific has acted as a catalyst for greater involvement in and awareness of the TB state reporting procedure.

Further positive outcome include:

- *Accountability*: Once part of the official TB review cycle, a follow-up review at regional level will be an instance of accountability in-between full reviews (8 year cycle), where governments will transparently report on the implementation of recommendations for follow-up received.
- *The capacity-building aspect as encouragement for states to reduce their reporting backlog*: The process facilitates capacity building within the region or country, as it encourages governments, civil society, and other stakeholders to deepen their understanding of international human rights standards and mechanisms.
- *Reducing the financial burden on states hence better engagement*: the participants and organizers of the regional treaty body follow-up reviews, observed and noted the pressing issue of the significant cost burden associated with the reviews in Geneva, particularly for member states and CSOs. The feedback received from participants underscores the challenges posed by the substantial expenses related to traveling from the Pacific to Geneva, as well as the financial strain incurred during participation in the reviews and leads to very limited staff participating in these reviews.

Challenges

Greater regional representation in TB member participation

Whilst the selection of TB members for follow-up review pilots has been conducted by the bureau of each participating TB, several participants noted the potential benefits of including more TB members from the region. Such an approach could have further enhanced the accuracy of the dialogue, ensuring greater relevance to regional contexts and realities. This approach might also increase national stakeholders' confidence in engaging with TBs, promoting a better mutual understanding of the information discussed. Additionally, from a financial standpoint, involving regional members could significantly reduce overall travel budget implications. It is important to mention that as of 2023, no expert from Pacific Islands States serves as a member of any TB, an issue that urgently needs addressing. Generally speaking, if follow-up review sessions are to officially take place at regional level, there might be benefits if a number of participating TB members were from the respective regions.

Lack of participation of UN agencies

One of the primary objectives of the TB follow-up review pilot in the Pacific region was to explore the benefits of conducting such reviews in regional/sub-regional UN hubs to enhance their strategic impact. Following the pilot activities, the organizers arranged briefings with the UNCT in Suva, which was a crucial step for promptly sharing initial findings with colleagues from various UN agencies. Nevertheless, the pilot would have significantly benefited from the involvement of UN agencies, either as observers or active participants during the pilot sessions, as well as through their contributions

regarding the implementation status of the recommendations under follow-up review. Unfortunately, due to a combination of conflicting schedules with other events and communication challenges, there was no participation from UN agency staff during the pilot days. A briefing following the pilot was held in Suva with the Pacific UNCT's Human Rights Theme Group.

Timeline and pre-follow-up review guidance

Several participants expressed that the project's schedule was overly stringent, particularly given that the follow-up review questionnaire was only distributed by the organizers in mid-November. National stakeholders would have benefited from earlier notification and a clearer schedule in the lead-up to the pilot sessions.

Submission of replies to follow-up review questionnaire

Whilst all three "national taskforces" prepared comprehensive submissions, the pilot would have gained more if there had been a greater response rate to the "follow-up review questionnaire" from CSOs and NHRIs/Offices of the Ombudsman. Only 4 CSOs and 1 NHRI provided written responses to the questionnaire. This might be due to both capacity constraints as well as mandate-specific limitations (e.g. Offices of the Ombudsman in both Vanuatu and Tonga do not have a human rights mandate strictu sensu, focusing more on public sector maladministration). As a result, the TB members did not have access to information on every aspect included in the recommendations under follow-up review. As it was not feasible to obtain written updates from all stakeholders, the TB members had to depend on desk research for their preparation.

Further challenges include:

- *Logistical challenges*: Coordinating the logistics of regional reviews, which encompass venue arrangements, travel, and accommodation for participants and TB members, may pose practical challenges that could adversely affect the efficiency of the process. This is especially true when TB members are traveling from different continents. Additionally, logistical challenges for the host government may arise due to conflicting regional events and limited staff available to host these reviews.
- *Vulnerability to Extreme Weather Events*: SIDS countries are often more susceptible to extreme weather events such as cyclones, hurricanes, and rising sea levels, which can disrupt normal functioning and may cause delays and uncertainty on part of the participation of the government and host country.

Conclusion and way forward

In conclusion, this third TB follow-up review pilot in the Pacific region has demonstrated remarkable achievements across several key areas. By enhancing accessibility for national and local human rights actors - a cornerstone of the whole follow-up review

pilot series - it significantly broadened participation and inclusivity within TB work. This aspect has been crucial in bringing in voices and perspectives typically excluded from the regular TB proceedings, thereby enriching the dialogue and understanding of human rights issues. This regional level interaction also empowered national human rights actors, enabling them to effectively engage in the TB state reporting procedure and work towards implementation of TB recommendations more efficiently. The follow-up review pilot sessions in region have made significant strides in heightening precision and consideration for the regional context, ensuring that the unique challenges and nuances of the Pacific region are adequately addressed. This focus has led to more relevant and impactful discussions that may lead to realistic implementation outcomes. This initiative has also been instrumental in fostering collaboration among Fijian, Tongan and Ni-Vanuatu human rights actors and promoting cross-country mutual learning. These aspects have facilitated a rich exchange of ideas and best practices, enhancing the collective capacity to address human rights issues. Lastly, the project has created a more constructive environment for discussions and significantly amplified the visibility of the TB system across the region. This increased visibility and the conducive environment for dialogue have been pivotal in advancing the understanding and implementation of CEDAW, CRC and CRPD recommendations in the Pacific region.

The conclusion of the third pilot has further facilitated the identification of specific recommendations towards a more defined format for a possible TB follow-up review procedure at the regional level. In this regard, a report covering the outcomes of all three follow-up review pilots will inform the current discussions among TB Chairs and Member States on the most effective format for a future follow-up review, in line with the options offered by OHCHR in its [Working Paper: Options and guiding questions for the development of an implementation plan for the conclusions of the human rights treaty body Chairs at their 34th meeting in June 2022](#) .

Annex A – Agenda



AGENDA

UN Human Rights Treaty Body Follow-up Review Pilot in the Pacific Region: Fiji, Vanuatu and Tonga

28 – 30 November 2023, 09:00 –17:00

Tanoa International Hotel
Nadi, Fiji

Agenda

IN-SITU VISITS (LAUTOKA & NADI) - MONDAY 27 NOVEMBER

DAY 1 – TUESDAY 28 NOVEMBER

- 08:30 – 09:00 **Registration**
- 09:00 – 9:30 **Welcome and Introductory Remarks**
- Mr. Miles Young, Director, Human Rights and Social Development Division, Pacific Community (SPC)
 - Mr. Felix Kirchmeier, Executive Director, Geneva Human Rights Platform (GHRP)
 - Mr. Yashasvi Nain, Human Rights Adviser, Commonwealth Secretariat (COMSEC)
 - Ms. Rosemary Kayess, Vice-Chair of the UN Committee on the Rights of Persons with Disabilities (CRPD)
 - Mr. Ibrahim Salama, Chief, Human Rights Treaties Branch, Office of the UN High Commissioner for Human Rights (OHCHR) (video statement)
- MC: Mr. 'Alifeleti Soakai (SPC)
- 09:30 – 09:50 **Welcome Address by Host Country and State Party Delegations**
- Welcome address by Hon. Lynda Tabuya, Minister for Women, Children & Social Protection, Fiji (video statement)
 - Mr. Pacco Siri, Acting Director General, Ministry of Justice and Community Services, Vanuatu
 - Remarks by Ms. Anna Laulaupea'alu, Acting Director, Family Protection Legal Aid Centre, Ministry of Justice, Tonga
- 9:50 – 10:05 **Presentation of the Treaty Body Follow-up Review Pilot Initiative**
- 10:05 – 10:30 **Group Photograph + Tea Break**
- 10:30 – 11:15 **Combined Fiji Human Rights and Anti-Discrimination Commission session – CEDAW and CRC**
- Led by Ms. Marianne Mikko (Committee on the Elimination of Discrimination Against Women) and Mr. Bragi Guðbrandsson (Committee on the Rights of the Child)
- Moderator: Mr. Domenico Zipoli (GHRP)

- 11:15 – 12:30 **Combined Fiji CSO session – CEDAW and CRC**
 Led by Ms. Marianne Mikko (CEDAW) and Mr. Bragi Guðbrandsson (CRC)
 Moderator: Mr. Domenico Zipoli (GHRP)
- 12:30 – 13:30 **Lunch Break**
- 13:30 – 14:15 **Combined Vanuatu Office of the Ombudsman session – CEDAW, CRC and CRPD**
 Led by Ms. Marianne Mikko (CEDAW), Mr. Bragi Guðbrandsson (CRC) and Ms. Rosemary Kayess (CRPD)
 Moderator: Mr. Yashasvi Nain (COMSEC)
- 14:15 – 15:30 **Combined Vanuatu CSO session – CEDAW, CRC and CRPD**
 Led by Ms. Marianne Mikko (CEDAW), Mr. Bragi Guðbrandsson (CRC) and Ms. Rosemary Kayess (CRPD)
 Moderator: Mr. Yashasvi Nain (COMSEC)
- 15:30 – 15:45 **Tea Break**
- 15:45 – 16:15 **Tonga Office of the Ombudsman session - CRC**
 Led by Mr. Bragi Guðbrandsson (CRC)
 Moderator: Mr. 'Alifeleti Soakai (SPC)
- 16:15 – 17:00 **Tonga CSO session – CRC**
 Led by Mr. Bragi Guðbrandsson (CRC)
 Moderator: Mr. 'Alifeleti Soakai (SPC)
- 17:00 – 17:15 **Concluding Remarks of Day 1 and evaluation form feedback**
 Representative from the SPC/GHRP/COMSEC

DAY 2 – WEDNESDAY 29 NOVEMBER

- 08:30 – 09:00 **Registration**
- 09:00 – 09:15 **Recap from Day 1**
- 09:15 – 10:45 **Follow-up Review of Fiji – CEDAW**
 Opening by Ms. Marianne Mikko (CEDAW)

Update by Fiji delegation

Constructive dialogue between Treaty Body Members and the Fiji delegation. Moderated by Mr. Ashley Bowe (SPC)

10:45 – 11:00

Tea Break

11:00 – 12:30

Follow-up Review of Fiji - CRC

Opening by Mr. Bragi Guðbrandsson (CRC)

Update by Fiji delegation

Constructive dialogue between Treaty Body Members and the Fiji delegation. Moderated by Mr. Felix Kirchmeier (GHRP)

12:30 – 13:30

Lunch Break

13:30 – 15:00

Follow-up Review of Vanuatu - CEDAW

Opening by Ms. Marianne Mikko (CEDAW)

Update by Vanuatu delegation

Constructive dialogue between Treaty Body Members and the Vanuatu delegation. Moderated by Mr. Domenico Zipoli (GHRP)

15:00 – 15:15

Tea Break

15:15 – 16:45

Follow-up Review of Vanuatu – CRC

Opening by Mr. Bragi Guðbrandsson (CRC)

Update by Vanuatu delegation

Constructive dialogue between Treaty Body Members and the Vanuatu delegation. Moderated by Mr. Yashasvi Nain (COMSEC)

DAY 3 – THURSDAY 30 NOVEMBER

08:30 – 09:00

Registration

09:00 – 10:30

Follow-up Review of Vanuatu - CRPD

Opening by Ms. Rosemary Kayess (CRPD)

Update by Vanuatu delegation

Constructive dialogue between Treaty Body Members and the Vanuatu delegation. Moderated by Mr. Felix Kirchmeier (GHRP)

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|---------------|--|
| 10:30 – 10:45 | Tea Break |
| 10:45 – 12:15 | <p>Follow-up Review of Tonga - CRC</p> <p>Opening by Mr. Bragi Guðbrandsson (CRC)</p> <p>Update by Tonga delegation</p> <p>Constructive dialogue between Treaty Body Members and the Tonga delegation. Moderated by 'Alifeleti Soakai (SPC)</p> |
| 12:15 – 13:15 | Lunch Break |
| 13:15 – 15:15 | <p>Capacity Building Workshop on Treaty Body Reporting</p> <ul style="list-style-type: none"> • Presentations by Mr. Bragi Guðbrandsson (CRC), Ms. Rosemary Kayess (CRPD) and Ms. Marianne Mikko (CEDAW) on treaty body reporting and best practices. Moderated by Mr. Felix Kirchmeier (GHRP) |
| 15:15 – 15:30 | Tea Break |
| 15:30 – 16:30 | <p>Lessons learned, benefits and challenges of the Follow-up Review Pilot and closing of the Follow-up Review Pilot session</p> <ul style="list-style-type: none"> • Open dialogue (all participants) on lessons learned, benefits and challenges. Moderated by Mr. Ashley Bowe (SPC) |
| 16:30 – 17:00 | <p>Closing Session</p> <ul style="list-style-type: none"> • Hon. Siromi Dokonivalu Turaga, Attorney General, Fiji |

End of Pilot Follow-up Review

Background

The Follow-up Review pilot in the Pacific will involve the participation of one member from each TB selected (CEDAW, CRC and CRPD), acting in their personal capacity. Representatives from SPC, GHRP and the Commonwealth Secretariat will moderate all sessions. Relevant OHCHR Secretariat staff will also be invited as observers.

Given the current numbers of COBs issued by the different Treaty Bodies, the follow-up review will cluster recommendations around a limited number of core-themes. The selection of COBs for the follow-up review will be thus based on those selected under the follow-up procedure, where applicable (see Follow-up Review Questionnaire). Such assessment will take into consideration overlapping COBs from different TBs and recommendations issued by Special Rapporteurs (SRs) and those issued during the latest Universal Periodic Review (UPR) cycle. Specific links will be highlighted between the selected COBs and

relevant Sustainable Development Goals. Government representatives may also solicit advice on other specific COBs, which will be considered by the participating TB members for inclusion in the follow-up review.

To fully realize the potential of national engagement, the follow-up review needs to include the participation of all relevant actors of the national human rights system of each participating Member States (Fiji, Vanuatu and Tonga). Each delegation will include 10 representatives from different relevant entities, namely governmental actors (NMIRF, line ministries, sub-national governments, national statistics offices, etc.), parliament, law enforcement and security actors (penitentiary, police, military, etc.). Representatives from the NHRI or the Office of the Ombudsman will also be participating in pilot exercise. Additionally, the follow-up review needs to uphold the highest standards of civil society participation to inform the process. As such, 6 CSO representatives will be invited to participate. Invites will also be extended to the UN resident coordinator office and UN agencies present in the country.

In practice, the follow-up review will take place during three days. Day 1 is dedicated to NHRI/Office of the Ombudsman and CSO input. Day 2 and Day 3 are dedicated to the follow-up review sessions with representatives from relevant ministries. For In the afternoon of Day 3, space will be provided for a capacity building segment and open dialogues with all participants to discuss lessons learned, benefits and challenges of the follow-up review pilot.

In terms of attendance requirements by the different stakeholders (in total, approx. 50 participants):

- **Day 1:** Welcome and Introductory remarks and presentation of the follow-up review initiative will be open to all participants.
- **Day 1:** NHRI/Office of the Ombudsman and CSO sessions will be closed sessions (TB delegation, NHRI/Office of the Ombudsman representatives only).
- **Day 2 and 3:** Each follow-up review session will require the presence of all government delegation representatives of the State under review. The sessions will be open to representatives from the other two government delegations, NHRI/Office of the Ombudsman and CSO as observers. (TB delegation, ministerial representatives and Ombudsman/CSOs observers).
- **Day 3:** the capacity building workshop, the lessons learned segment and closing session will be open to all participants.



Pacific
Community
Communauté
du Pacifique



The Commonwealth

DRAFT FOLLOW-UP REVIEW QUESTIONNAIRE

Treaty Body Follow-up Review Pilot of Fiji

Methodology for the selection of recommendations

The purpose of the Follow-up Review Questionnaire is to assess Fiji's progress in implementing recommendations issued by participating UN Treaty Bodies. After each review, the relevant treaty body provides recommendations to participating states through concluding observations. Fiji received such concluding observations by CEDAW in 2018 and by CRC in 2014. Notably, Fiji has not yet submitted its initial report to CRPD, resulting in the absence of an official review and consequently, no concluding observations.. Given the aim of this pilot to replicate the official review process for CEDAW and CRC, the recommendations have been chosen from the latest concluding observations issued by these two treaty bodies to Fiji.

CEDAW employs a follow-up procedure that entails identifying two to four specific recommendations within its concluding observations that necessitate immediate attention and can be implemented within a year. In light of this, the Committee requests the State party to provide additional information about the steps taken to implement these recommendations.⁴ On the other hand, in the case of CRC, which at the time of the review did not employ such follow-up procedure, the committee identifies certain recommendations that remain "not yet implemented or sufficiently

⁴ For more information on the Treaty Body Follow-up Procedure, please see <https://www.ohchr.org/en/treaty-bodies/follow-concluding-observations>.

implemented." Fiji has also received List of Issues Prior to Reporting (LOIPR) by CEDAW in 2022 and CRC in 2021.

Considering the aforementioned context, the recommendations issued by the CEDAW and CRC have been selected as follows:

- (a) **For CEDAW:** The chosen recommendations are those that the Committee identified as follow-up recommendations within the latest concluding observations reinforced by relevant issues listed in the latest LOIPR.
- (b) **For CRC:** The chosen recommendations are those that the Committee identified as "not yet implemented or sufficiently implemented" within the latest concluding observations reinforced by relevant issues listed in the latest LOIPR.

Therefore, the CEDAW and CRC Follow-up Review sessions of Fiji will entail a constructive dialogue between the ministerial task force and the participating TB members, providing an update on the implementation of the selected recommendations. In the case of the CRPD follow-up review pilot, the agenda will incorporate a capacity-building session focused on initial reporting. The Fiji Human Rights and Anti-Discrimination Commission and a delegation of national civil society organizations will also receive the present Questionnaire and be asked to provide an update, in order to follow the inclusive and participatory processes normally applied by the UN Treaty Body state reporting procedure.

Committee on the Elimination of Discrimination against Women (CEDAW)

Review Cycle (V): 69th Session (2018)

Concluding Observations (COB): [CEDAW/C/FJI/CO/5](#)

Review Cycle (VI): 85th Session (2022)

List of Issues Prior to Reporting (LOIPR): [CEDAW/C/FJI/QPR/6](#)

FOLLOW-UP COB	
Follow-up to the concluding observations	
69. The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 16 (a) and 28 (c) and (d) above.	

Selected Paragraph	Theme	Recommendation
COB Para. 16 (a)	Access to justice	15. The Committee notes with concern that access to justice for women is significantly hampered in certain respects by:

		<p>(c) The legal possibility under the Constitution of limiting guaranteed rights, which is overly broad and results in the arbitrary deprivation of rights;</p> <p>(d) The constitutional conferment of immunity with regard to human rights violations committed under the interim military regime, which impedes victims' access to justice and reparation and may delay genuine reconciliation within society;</p> <p>(e) The fact that decisions of the interim military Government cannot be challenged in court.</p> <p>16. The Committee recommends that the State party:</p> <p>(f) Repeal provisions under section 6 (5) of the Constitution for limiting guaranteed rights;</p>
<p>LOIPR Para. 23</p>		<p>23. Please also describe measures put in place to promote a positive image of women and girls with disabilities and to ensure that they have effective access to justice, political participation, education, employment and health care, including sexual and reproductive health-care services.</p>
<p>COB Para.s 28 (c) and (d)</p>	<p>Gender-based violence against women</p>	<p>27. The Committee welcomes the State party's efforts to eradicate gender-based violence against women, including the establishment of a national domestic violence toll-free helpline. It notes with concern, however, that the incidence of gender-based violence in the State party continues to be the highest in the region. It also notes with concern:</p> <p>(i) The underreporting of gender-based violence against women owing to stigma, social pressure to resort to traditional apology and reconciliation procedures such as <i>bulubulu</i> and distrust in the justice system;</p> <p>(j) The prevalence of hate speech against women in society and the media;</p> <p>(k) The economic cost of gender-based violence, which has been estimated at 7 per cent of the gross domestic product;</p> <p>(l) The persistent perception among law enforcement officials that domestic violence is a private matter, as illustrated by the fact that women who are victims of gender-based violence are referred to the Family Court; the intimidation of victims by the police; reluctance to adhere to the "no-drop" policy, whereby cases brought to court are pursued even after the customary pardon is given to the perpetrator, or to issue domestic violence restraining orders; and the fact that victims are encouraged, despite the policy of zero tolerance, to resort to traditional apology and reconciliation procedures;</p> <p>(m) The fact that perpetrators of gender-based violence against women frequently enjoy impunity or receive lenient sentences owing to gender stereotypes among the judiciary, such as the notion of the man as "sole breadwinner", and factors such as when the offence is the perpetrator's first, resulting in sentence reduction;</p>

		<p>(n) Discriminatory attitudes on the part of health personnel, the frequent incapacity to respond to the health needs of victims of gender-based violence and the particularly limited access to emergency contraception and post-exposure prophylaxis for victims of rape;</p> <p>(o) The limited availability of support services, including adequate shelters, for women who are victims of gender-based violence;</p> <p>(p) The increase in gender-based violence during disasters and in post-disaster situations.</p> <p>28. Taking into account its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, and recalling target 5.2 of the Sustainable Development Goals, on the elimination of all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation, the Committee recommends that the State party strengthen its efforts to combat gender-based violence against women and its underlying causes and that it:</p> <p>(a) Adopt a national action plan for the prevention of gender-based violence;</p> <p>(b) Strengthen capacity-building for law enforcement personnel to ensure that under no circumstances are victims forced or put under pressure to accept traditional methods of dispute settlement in lieu of criminal proceedings against perpetrators;</p>
<p>LOIPR Para.s 9 (a), (e), (f), (g) and (h)</p>		<p>9. In the light of the Committee’s previous recommendations (para. 28), and taking into account its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, please describe the efforts Fiji has made to combat gender-based violence against women and its underlying causes. In particular, please provide information on:</p> <p>(h) The current status of development of the Fiji National Action Plan to Prevent Violence against Women and Girls (2022 to 2027);</p> <p>a) Measures to ensure that traditional methods of dispute resolution are not given priority over criminal prosecution or sentencing against the will of the victim;</p> <p>b) Measures to build the capacity of law enforcement officers on the strict application of criminal law provisions regarding gender-based violence against women and to ensure the implementation of the “no-drop” policy and the issuance and enforcement of domestic violence restraining orders;</p> <p>c) Measures taken to increase the number of female police officers and to set up a mechanism allowing victims who report violence to submit a complaint in the event of harassment, threat or pressure by law enforcement personnel;</p>

		d) Steps taken to ensure that perpetrators of gender-based violence receive sentences commensurate with the nature of their crimes and that patriarchal perceptions of the roles of men and women do not serve as grounds for reducing a sentence;
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Committee on the Rights of the Child (CRC)

Review Cycle (II - IV): 67th Session (2014)

Concluding Observations (COB): [CRC/C/FJI/CO/2-4](#)

Review Cycle (V - VI): 89th Session (2021)

List of Issues Prior to Reporting (LOIPR): [CRC/C/FJI/QPR/5-6](#)

COBs
<p>The Committee's previous recommendations</p> <ul style="list-style-type: none"> • While welcoming the State party's efforts to implement the Committee's concluding observations of 1998 on the State party's initial report (CRC/C/28/Add.7), the Committee notes with regret that some of the recommendations contained therein have not been fully addressed. • The Committee urges the State party to take all the necessary measures to address those recommendations from the concluding observations of the initial report under the Convention that have not been sufficiently implemented, particularly those related to allocation of resources, data collection, birth registration, corporal punishment, sexual abuse and children with disabilities.

Selected Paragraph	Theme	Recommendation
COB Para. 13	Allocation of resources	<p>While welcoming the allocation of financial resources to child protection programmes in the 2014 budget, the Committee notes with concern that no other budget lines have been identified for the implementation of the Convention.</p> <p>In the light of its day of general discussion in 2007 on "Resources for the Rights of the Child — Responsibility of States" and with emphasis on articles 2, 3, 4 and 6 of the Convention, the Committee recommends that the State party:</p> <ul style="list-style-type: none"> • Adopt a national budget specifically directed at the implementation of the Convention, ensure that the budget is for children of every age, from both sexes and from all socioeconomic backgrounds, and that strategic budgetary lines be defined for children in vulnerable situations, in particular children from minority groups and children with disabilities;

		<ul style="list-style-type: none"> • Set up evaluation and monitoring mechanisms to regularly assess the adequacy, efficacy and equitability of resource distribution.
LOIPR Para. 6		<p>6. Please describe the measures taken to:</p> <ul style="list-style-type: none"> • Adopt a national budget specifically directed at the implementation of the Convention, with specific budget lines for children in vulnerable situations, including children from minority groups and children with disabilities; • Incorporate a child rights-based approach in the elaboration of the State budget, including by implementing a tracking system for the allocation and use of resources for children throughout the budget; • Ensure that children, especially those in vulnerable situations, are not affected by austerity measures or regressive measures taken in response to the COVID-19 pandemic and the consequences of the economic crisis triggered by those measures.
COB Para 15	Data collection	<ul style="list-style-type: none"> • The Committee regrets the lack of reliable and disaggregated data on many areas of the Convention, as well as of any mechanism to systematically assess the impact of policies and programmes in relation to the implementation of the Convention. • In the light of its general comment No. 5 (2003) on general measures of implementation of the Convention on the Rights of the Child, the Committee urges the State party to take all the necessary efforts to establish a comprehensive data collection system. The data should cover all areas of the Convention and should be disaggregated by age, sex, geographic location, ethnic origin and socioeconomic background in order to facilitate analysis of the situation of all children, in particular children in vulnerable situations. Furthermore, the Committee recommends that the data and indicators be shared among the relevant ministries.
LOIPR Para. 7		<p>7. Please provide information on the following:</p> <ul style="list-style-type: none"> • Progress achieved in developing a comprehensive system of data collection that allows for the collection of data, disaggregated by relevant factors, on all areas of the Convention, including violence against children,

		<p>adoption, children with disabilities, child labour and trafficking;</p> <ul style="list-style-type: none"> • The results of the national multiple indicator cluster survey; • Measures taken to ensure that the data and indicators collected, including through the multiple indicator cluster survey and in the context of the Pacific Group on Disability Statistics, are shared among relevant ministries and used for the formulation, monitoring and evaluation of policies and programmes on children's rights.
	<p>Birth registration</p>	<ul style="list-style-type: none"> • The Committee welcomes the State party's efforts in tackling birth registration and notes with appreciation that the new Constitution guarantees the right to birth registration and citizenship. However, the Committee regrets that birth registration is still not free and that late registration is penalized with a fee. The Committee is furthermore concerned about reports indicating a decline of birth registration in the past two years, in particular in remote islands. • The Committee reiterates its previous recommendation (CRC/C/15/Add.89, para. 35) to launch awareness-raising programmes, regarding the parents' duty to register newborn children. In so doing, the Committee furthermore recommends that the State party: • Take all the necessary measures to ensure that registration fees, including fees for late registration, are permanently abolished; • Place particular focus on groups of children whose birth registration remains a serious concern, including continuing to develop measures to increase birth registration in remote areas, and among children from minority groups.
<p>LOIPR Para . 15</p>		<p>15. Please indicate how the State party proposes to:</p> <ul style="list-style-type: none"> • Ensure that all children in its territory have access to birth registration and birth certificates free of charge, including by abolishing fees for late registration and removing barriers to registration for children in outlying islands and children from minority groups; • Raise awareness among parents of the new e-registration procedure launched in 2019 and of the importance of birth registration; • Safeguard children who were abandoned in the State party, but who were not born there and whose nationality cannot be established, against statelessness.

<p>COB Para. 31</p>	<p>Corporal punishment</p>	<p>(a) The Committee welcomes the constitutional protection from corporal punishment and notes that the Juveniles Act, article 57 of which provides legal justification for the use of corporal punishment under the right of teachers “to administer reasonable punishment”, is currently under review. Furthermore, the Committee notes with serious concern that corporal punishment is not explicitly prohibited in the home, alternative care settings and day care.</p> <p>(b) In the light of its general comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment, the Committee urges the State party to promote positive, non-violent and participatory forms of childrearing and discipline as an alternative to corporal punishment, and furthermore reiterates its previous recommendations (CRC/C/15/Add.89, para. 36) to comprehensively prohibit corporal punishment by law and that measures be taken to raise awareness on the negative effects of corporal punishment and to ensure that discipline in schools, families and institutional care is administered in a manner consistent with the child’s dignity. The State party shall furthermore establish regular compulsory training on child rights for every educator and teacher.</p>
<p>LOIPR Para. 17</p>		<p>17. Please describe the measures taken or envisaged to:</p> <ul style="list-style-type: none"> • Prohibit corporal punishment in all settings, including at home, in schools and in alternative and day-care settings; • Repeal the right of teachers “to administer reasonable punishment”; • Promote positive and non-violent forms of discipline among teachers, staff of childcare facilities, parents and caregivers.
<p>COB Para. 33</p>	<p>Sexual exploitation and abuse</p>	<p>32. The Committee welcomes the creation of the Child Protection Unit in 2009 by the Office of the Director for Public Prosecution in 2010, as well as the reporting and follow-up system “Break the wall of silence”. The Committee notes with deepest concern, however, that sexual exploitation and abuse of children is prevalent in the State party, including through organized child prostitution networks and brothels. Furthermore, the Committee is highly concerned about:</p> <ul style="list-style-type: none"> • Traditional apologies such as <i>bulubulu</i> being used as reparation, and the possibility of <i>bulubulu</i> being used in practice as mitigating factor for sexual offences; • Specialized services taking into consideration the needs of children not being readily available, services for boys being almost non-existent, and legal aid being limited and not available to all in need;

		<ul style="list-style-type: none"> • The lack of available and trained police officers, particularly in rural areas and including female front-line police officers, to respond to sexual offences against girls, as well as confidentiality of cases being not well maintained; • Sexual abuse and exploitation often not being regarded as criminal offences by society, particularly if the girl is considered to be of “questionable” character or modesty, and the blame for sexual exploitation being frequently placed on the girl instead of on the abuser, for attracting the abuser’s attention; • Sexual abuse and exploitation remaining frequently unreported, as speaking up about sexual violence and abuse is generally viewed negatively, bringing shame on the victim, the family and the perpetrator, and “economic devaluation” of the victim, if the victim is a girl; • Sexual exploitation of children being closely linked to poverty, with pressure placed on children to earn money. <p>33. The Committee recommends that the State party:</p> <ul style="list-style-type: none"> • Amend legislation and establish awareness-raising campaigns to ensure that traditional apologies such as <i>bulubulu</i> are neither used as mitigating factor, nor as reparation for sexual abuse and exploitation of children and further strengthen implementation of the no-drop policy; • Provide appropriate support services and ensure the development and implementation of programmes and policies for the prevention, recovery and social reintegration of child victims, both girls and boys, in accordance with the outcome documents adopted at the World Congresses against Commercial Sexual Exploitation of Children; • Conduct awareness-raising campaigns to combat the blaming of victims of sexual exploitation, and train law enforcement officials, social workers, judges and prosecutors on how to receive, monitor and investigate complaints in a child-sensitive manner that respects confidentiality, and ensure the training of sufficient female front-line police officers; • Conduct awareness-raising campaigns on sexual exploitation of children and the severe dangers connected to children becoming involved in the sex business, and implement anti-poverty programmes, including with a view to addressing some of the root causes of sexual exploitation.
<p>LOIPR Para. 18</p>		<p>18. Please explain the measures taken to:</p> <ul style="list-style-type: none"> • Address the high prevalence of domestic violence and sexual exploitation and abuse against children, including within the circle of trust, online sexual exploitation, cyberbullying, and sexual exploitation and abuse in the context of prostitution and tourism;

		<ul style="list-style-type: none"> • Prevent the use of traditional apologies such as <i>bulubulu</i> and amend legislation to ensure that all children subject to any form of sexual exploitation are treated as victims and not subjected to criminal sanctions; • Ensure mandatory reporting and investigation of, intervention in and, where appropriate, prosecution of all cases of violence, including domestic violence and sexual offences, against children, including those in the outlying islands and rural communities; • Ensure the effective implementation of the inter-agency guidelines on child abuse and neglect, including through the training of relevant professionals and the establishment of district inter-agency committees on child abuse and neglect; • Strengthen the capacity of social workers, psychologists, law enforcement authorities, the judiciary, National Child Helpline personnel and other relevant professionals, including through pre-service and in-service training, to address cases of violence, abuse and sexual exploitation against children in a confidential and child-sensitive manner; • Conduct awareness-raising and education programmes, including for children and parents, aimed at preventing and tackling domestic violence and the abuse and sexual exploitation of children and at combating the stigmatization of victims; • Ensure the sufficient allocation of financial, human and technical resources to child protection services, in view of the increase in the number of cases being reported, including through the National Child Helpline; • Ensure child-friendly and multidisciplinary interventions, as well as the provision of comprehensive support, including psychological recovery and social reintegration, for child victims of violence, sexual abuse and exploitation.
<p>COB Para. 40</p>	<p>Children with disabilities</p>	<p>39. The Committee welcomes the provisions for the protection of the rights of persons with disabilities in the 2013 Constitution and the Inclusive Education Policy of 2010, as well as the draft disability decree of 2013. However, the Committee notes with great concern that children with disabilities are frequently faced with discrimination and exclusion, and furthermore regrets that:</p> <ul style="list-style-type: none"> • Children with disabilities are often faced with extreme poverty, and that insufficient measures are taken by the State party to ensure the effective access of children with disabilities to health, education and social services, and to facilitate their full inclusion into society; • Children with disabilities, particularly girls, are more vulnerable to sexual exploitation and violence, including prostitution; • Special schools for children with disabilities are preferred over inclusive education, and secondary-level education is non-existent for them;

		<ul style="list-style-type: none"> • The number of well-trained professionals working with and for children with disabilities is insufficient, and there are no speech therapists in the country, although speech impairment constitutes the main impairment in the Fiji Early Intervention Centre. <p>40. In the light of general comment No. 9 (2006) on the rights of children with disabilities, the Committee urges the State party to adopt a human rights-based approach to disability, and specifically recommends that it:</p> <ul style="list-style-type: none"> • Ensure that all children with disabilities, including children with mental, speech, hearing and visual disabilities, receive adequate financial support, and increase budget allocation to ensure the equal access of children with disabilities to adequate social and health services, placing particular focus on children in remote areas; • Raise awareness about the risk of violence and sexual exploitation faced by children with disabilities, and take all necessary measures to increase the protection of children with disabilities within communities, the home and institutional settings; • Ensure that the development of inclusive education is given priority over special schooling and train teachers accordingly, as well as provide full access to children with disabilities to secondary education; • Undertake greater efforts to make available all the professional specialists necessary, in particular in remote areas, and increase the allocation of human, technical and financial resources in that regard.
<p>LOIPR Para. 23</p>		<p>23. Please provide information on the following:</p> <ul style="list-style-type: none"> • Resources allocated for the implementation of the Rights of Persons with Disabilities Act; • Access of children with disabilities to social and health services, and access of their families to financial and other support; • Awareness-raising campaigns to prevent the stigmatization of children with disabilities and to prevent violence against them; • Development of inclusive primary and secondary education, with appropriately trained teachers, for children with disabilities; • Availability of professional specialists for children with disabilities.

DRAFT FOLLOW-UP REVIEW QUESTIONNAIRE

Treaty Body Follow-up Review Pilot of Tonga

Methodology for the selection of recommendations

The purpose of the Follow-up Review Questionnaire is to assess Tonga's progress in implementing recommendations issued by participating UN Treaty Bodies. After each review, the relevant treaty body provides recommendations to participating states through concluding observations. Whilst Tonga has not ratified the CEDAW and has signed (2007) but not ratified the CRPD, Tonga received such concluding observations by CRC in 2019. Given the aim of this pilot to replicate the official review process for the CRC, the recommendations have been chosen from the latest concluding observations issued to Tonga.

In the case of CRC, which at the time of the review did not employ a follow-up procedure, the committee identifies certain recommendations that remain "not yet implemented or sufficiently implemented."

Considering the aforementioned context, the recommendations issued by the CRC have been selected as follows:

- (c) **For CRC:** The chosen recommendations are those that the committee has identified as "not yet implemented or sufficiently implemented" within the latest concluding observations.

Therefore, the CRC Follow-up Review sessions of Tonga will entail a constructive dialogue between the ministerial task force and the participating TB members, providing an update on the implementation of the selected recommendations. In the case of the CEDAW and CRPD follow-up review pilot, the agenda will incorporate a capacity-building session on focused on ratification

and initial reporting. The Office of the Ombudsman of Tonga and a delegation of national civil society organizations will also receive the present Questionnaire and be asked to provide an update, in order to follow the inclusive and participatory processes normally applied by the UN Treaty Body state reporting procedure.

Committee on the Rights of the Child (CRC)

Review Cycle I: 81st session (2019)

Concluding Observations (COBs): [CRC/C/TON/CO/1](#)

COBs
<p>4. The Committee recommends that the State party ensure the realization of children’s rights in accordance with the Convention throughout the process of implementing the 2030 Agenda for Sustainable Development. It also urges the State party to ensure the meaningful participation of children in the design and implementation of policies and programmes aimed at achieving all 17 Sustainable Development Goals as far as they concern children.</p>

Selected Paragraph	Theme	Recommendation
<p>COB Para. 28</p>	<p>Respect for the views of the child</p>	<p>27. The Committee welcomes the active Youth Parliament organized by the Tongan National Youth Congress. However, the Committee is concerned that the nature of the traditional society of Tonga makes it difficult for children to participate and to be heard on matters affecting them.</p> <p>28. Recalling its general comment No. 12 (2009) on the right of the child to be heard, the Committee recommends that the State party:</p> <ul style="list-style-type: none"> a) Promote meaningful and empowered participation of all children within the family, communities and schools and include children in decision-making on all matters related to children, including environmental matters; b) Develop mechanisms for the systematic participation of children in the development and implementation of laws, policies and programmes relating to children; c) Continue supporting the Tongan National Youth Congress by increasing its legitimacy and effectiveness and providing it with the necessary resources.
<p>COB Para. 34</p>	<p>Abuse, neglect and sexual exploitation and abuse</p>	<p>33. The Committee welcomes the positive steps taken to strengthen the legislative framework to protect children against violence, such as the Family Protection Act of 2013 and the Domestic Violence Response Policy. However, the Committee remains seriously concerned at:</p>

		<p>24. The reportedly high level of abuse of children, including domestic violence, sexual abuse and incest, and the significant underreporting of such cases for a variety of reasons, including the fear of stigma;</p> <p>25. Inadequate resources to enforce the laws designated to protect children from all forms of abuse;</p> <p>26. The fact that children are not sufficiently aware of existing laws and that there are no child-friendly reporting mechanisms;</p> <p>27. Inadequate, structures and shelters in place to support child victims of violence, mostly run by non-governmental organizations, and insufficient counselling, psychological, recovery and reintegration services;</p> <p>28. The shortage of specialized personnel to handle child victims, particularly in the Police Domestic Violence Unit;</p> <p>29. The absence of any statistical data on child sexual exploitation and abuse.</p> <p>34. Recalling its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence and taking note of target 16.2 of the Sustainable Development Goals, the Committee recommends that the State party:</p> <p>a) Encourage community-based programmes aimed at preventing and tackling domestic violence, child abuse and sexual exploitation;</p> <p>b) Conduct awareness-raising activities to combat the stigmatization of child victims of sexual exploitation and abuse, and ensure accessible, confidential, child-friendly and effective reporting channels for such violations;</p> <p>c) Allocate sufficient resources for the effective implementation of laws that protect children from violence, in particular the Criminal Offences Act and the Family Protection Act, and establish child-friendly reporting mechanisms;</p> <p>d) Investigate and expeditiously prosecute all cases of abuse and sexual exploitation of children;</p> <p>e) Ensure that child victims of violence and abuse have access to appropriate shelter, counselling and psychological, recovery and reintegration services;</p> <p>f) Take all necessary measures to ensure that there are adequate human, financial and technical resources, particularly specialized personnel within the Police Domestic Violence Unit and in non-governmental organizations dealing with child victims, to deal with cases of violence against and sexual abuse and exploitation of children;</p> <p>g) Establish a national database on all cases of domestic violence against children, and undertake a</p>
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		comprehensive assessment of the extent, causes and nature of such violence.
COB Para. 48	Health and health services	<p>47. The Committee takes notes of the Tonga Health Promotion Foundation and the National Strategy to Prevent and Control Non-Communicable Diseases. However, it is concerned about:</p> <ul style="list-style-type: none"> 30. The weak primary health-care system, which is unable to deal with chronic cases and non-communicable diseases, particularly in remote areas and on the outer islands; 31. The high infant and under-5 mortality rate due to perinatal and neonatal causes, as well as child mortality due to non-communicable diseases; 32. The reported low vaccination coverage, particularly in rural areas and on the outer islands; 33. The high prevalence of non-communicable diseases among children related to an unhealthy lifestyle, particularly obesity, diabetes and cardiovascular disease; 34. Inadequate funding, the insufficient number of well-trained health workers for children and pregnant women and the poor accessibility of health-care services, particularly in rural and remote areas and on the outer islands; 35. The low level of exclusive breastfeeding after the first three months; 36. The unregulated traditional healing carried out by practitioners who are not professional health providers; 37. Air pollution due to improper waste disposal and rubbish burning and its negative effects on children's health. <p>48. Recalling its general comment No. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health and taking note of target 3.4 of the Sustainable Development Goals, the Committee recommends that the State party:</p> <ul style="list-style-type: none"> c) Strengthen primary health care for children, particularly in remote areas and on the outer islands; d) Take measures to reduce infant and under-5 mortality due to perinatal and neonatal conditions; e) Scale up immunization, particularly in rural areas and on the outer islands, and provide sufficient investment in suitable technologies, such as drone delivery, and human resource capacities for immunization services; f) Increase efforts to improve access to basic health-care services for all children, particularly in rural and remote areas and on the outer islands, and provide more resources to the mobile clinics so that they are more frequently available and reach a wider population; g) Take measures to reduce child mortality due to non-communicable diseases by focusing on both prevention and management;

<p>COB Para. 50</p>	<p>Mental Health</p>	<p>49. The Committee is concerned at the high rates of suicidal thoughts and behaviour among adolescents. It is also concerned that children aged 17 or above with intellectual, psychosocial and behavioural problems can be placed in wards together with adults.</p> <p>50. Taking note of target 3.4 of the Sustainable Development Goals, the Committee recommends that the State party:</p> <p>a) Take urgent action to strengthen efforts to prevent suicidal behaviour among children and adolescents, including by increasing available psychological counselling services and the number of social workers in schools and communities;</p>
<p>COB Para. 52</p>	<p>Adolescent Health</p>	<p>51. The Committee is concerned that:</p> <ul style="list-style-type: none"> • The rate of teenage pregnancies is high and pregnant girls and young mothers are stigmatized; • Teenage girls have limited access to safe reproductive and sexual health services and education, especially in rural areas and on the outer islands, and to methods of birth control, also due to fear of stigmatization; • Abortion is a criminal offence, without any exceptions for cases of rape or incest, and that the prohibition leads teenage girls to have recourse to unsafe abortions, with consequent risks for their life and health; • There is a lack of policy, action plans and concrete measures to stop alcohol consumption, smoking and substance abuse among adolescents and limited programmes and services available for those affected. <p>52. Recalling its general comments No. 4 (2003) on adolescent health and development in the context of the Convention and No. 20 (2016) on the implementation of the rights of the child during adolescence and taking note of target 5.6 of the Sustainable Development Goals, the Committee recommends that the State party:</p> <p>a) Decriminalize abortion in all circumstances and ensure access to safe abortion and post-abortion care services for adolescent girls, making sure that their views are always heard and given due consideration as a part of the decision-making process;</p> <p>b) Address the incidence of alcohol and drug use by children and adolescents by, inter alia, providing children and adolescents with accurate and objective information on the harmful effects of alcohol, drug and substance abuse, as well as life skills education on preventing substance abuse – including tobacco and</p>

		alcohol dependence – and develop accessible and youth- friendly drug dependence treatment and harm reduction services.
COB Para. 54	Impact of climate change on the rights of the child	<p>53. Noting that the State party is among the most vulnerable countries in terms of exposure to natural hazards and risk, the Committee welcomes the revised Joint National Action Plan on Climate Change and Disaster Risk Management of 2018. However, the Committee is concerned that:</p> <ul style="list-style-type: none"> a) More could be done to include the special needs of children, including children with disabilities, in planning disaster risk reduction preparedness, response and recovery; b) School infrastructure, particularly in remote areas, is not resilient, reliable and accessible in case of natural disaster. <p>54. The Committee draws attention to targets 13.1, 13.3 and 13.b of the Sustainable Development Goals, and recommends that the State party:</p> <ul style="list-style-type: none"> a) Fully implement and support with adequate resources the revised Joint National Action Plan on Climate Change and Disaster Risk Management, including addressing key gaps identified from the implementation of the previous plan; b) Continue building children’s awareness and preparedness for climate change and natural disasters, including updating curricula to be responsive to the rapidly changing environment and encourage direct participation of children in environmental protection as a component of their learning process c) Review emergency protocols to include assistance and other support for all children, particularly those with disabilities, during emergencies and natural disasters; d) Improve data and assessments to have an evidence base for risk reduction and preparedness, particularly for the distinct needs and priorities of children with disabilities;
COB Para. 56	Education, including vocational training and guidance	<p>55. The Committee is seriously concerned that:</p> <ul style="list-style-type: none"> a) Primary education is not free by law; b) Enrolment rates have dropped in primary and secondary schools; c) Children are underachieving in primary education, particularly in literacy and numeracy; school facilities, teacher quality and learning resources are inadequate; and there is poor access to schools, especially in rural areas and on the outer islands and for children with disabilities; d) There is no comprehensive environmental education in the school curriculum; e) The enrolment rate in early childhood education is low and there is limited accessibility, particularly on the outer islands

		<p>and in rural areas, and inadequate financial support for early childhood education</p> <p>56. Recalling its general comment No. 1 (2001) on the aims of education and taking note of target 4.1 of the Sustainable Development Goals, the Committee urges the State party to:</p> <ul style="list-style-type: none"> a) Make primary education free and ensure that all girls and boys complete equitable and quality primary and secondary education leading to relevant and effective learning outcomes; b) Analyse the root causes for the drop in enrolment in primary and secondary schools and implement appropriate actions to remedy it; c) Take the necessary measures, including by providing adequate human, financial and technical resources, to improve the accessibility and quality of education, particularly for children with disabilities, provide quality training for teachers and scale-up school facilities and learning resources, with particular emphasis on rural areas and the outer islands; d) Encourage parents to enrol their children in early childhood education and allocate sufficient financial resources for its development and expansion, based on a comprehensive and holistic policy of early childhood care and development.
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DRAFT FOLLOW-UP REVIEW QUESTIONNAIRE

Treaty Body Follow-up Review Pilot of Vanuatu

Methodology for the selection of recommendations

The purpose of the Follow-up Review Questionnaire is to assess Vanuatu's progress in implementing recommendations issued by participating UN Treaty Bodies. After each review, the relevant treaty body provides recommendations to participating states through concluding observations. Vanuatu received such concluding observations by CEDAW in 2016, by CRC in 2017 and by CRPD in 2019. Given the aim of this pilot to replicate the official review process for CEDAW, the CRC and the CRPD, the recommendations have been chosen from the latest concluding observations issued by these three treaty bodies to Vanuatu.

CEDAW and CRPD employ a follow-up procedure that entails identifying two to four specific recommendations within its concluding observations that necessitate immediate attention and can be implemented within one/two years. In light of this, the Committees request the State party to provide additional information about the steps taken to implement these recommendations.⁵ In the case of CEDAW, Vanuatu issued its report on Follow-up in 2018, to which the Committee replied with a Follow-up assessment letter and evaluated Vanuatu's actions as "partially satisfactory". In the case of CRPD, Vanuatu has yet to submit its report on Follow-up. In the case of CRC, which

⁵ For more information on the Treaty Body Follow-up Procedure, please see <https://www.ohchr.org/en/treaty-bodies/follow-concluding-observations>.

at the time of the review did not employ such follow-up procedure, the committee identifies certain recommendations that remain "not yet implemented or sufficiently implemented."

Considering the aforementioned context, the recommendations for CRC, CEDAW and CRPD have been selected as follows:

- (d) **For CEDAW:** The selected recommendations are those included the Follow-up assessment letter submitted to Vanuatu in light of the latest concluding observations selected under the follow-up procedure.
- (e) **For CRC:** The chosen recommendations are those that the committee has identified as "not yet implemented or sufficiently implemented" within the latest concluding observations.
- (f) **For CRPD:** The selected recommendations are those included in the follow-up recommendations within the latest concluding observations.

Therefore, the CEDAW, CRC and CRPD Follow-up Review sessions of Vanuatu will entail a constructive dialogue between the ministerial task force and the participating TB members, providing an update on the implementation of the selected recommendations. The Office of the Ombudsman of Vanuatu and a delegation of national civil society organizations will also receive the present Questionnaire and be asked to provide an update, in order to follow the inclusive and participatory processes normally applied by the UN Treaty Body state reporting procedure.

Committee on the Elimination of Discrimination against Women (CEDAW)

Review Cycle (IV - V): 63rd Session (2016)

Concluding Observations (COB): [CEDAW/C/VUT/CO/4-5](#)

State Party report on Follow-up to Concluding Observations: [CEDAW/C/VUT/CO/4-5/Add.1](#) (29 March 2018)

Follow-up letter sent to the State Party: [MK/follow-up/Vanuatu/71](#) (17 December 2018)

Evaluation: *partially satisfactory*

FOLLOW-UP COB

Follow-up to concluding observations

47. The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 21 (a), (b) and (c) and 37 above.

Selected Paragraph	Theme	Recommendation
Follow-up letter sent to State Party	Violence against women	<p>The Committee recommends that, in relation to paragraph 21 of the concluding observations, the State party provide, in its next periodic report, information on further actions taken to:</p> <ul style="list-style-type: none"> a) Ensure that women who are victims of domestic violence have full access to protection orders and legal remedies. b) Provide assistance to victims of gender-based violence, including medical and psychological support and shelter, counselling and rehabilitation services, throughout its territory. c) Ensure that perpetrators are prosecuted and adequately punished with sentences that are commensurate with the seriousness of their crimes, in accordance with the Committee's general recommendation No. 19 (1992) on violence against women. (Since the dialogue with the State party in 2016, the Committee has adopted the general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19).
Follow-up letter sent to State Party	Impact of climate change and natural disasters on women	<p>The Committee recommends that, in relation to paragraph 37 of the concluding observations, the State party provide, in its next periodic report, information on further actions taken to:</p> <p>Ensure that women, including those living on the outer islands, are included and may actively participate in planning, decision-making and implementation processes concerning disaster risk reduction, post-disaster management and climate change policies.</p>

Committee on the Rights of the Child (CRC)

Review Cycle II: 76th session (2017)

Concluding Observations (COBs): [CRC/C/VUT/CO/2](#)

COBs
<p>The Committee's previous recommendations</p> <p>4. The Committee recommends that the State party take all measures necessary to address its previous recommendations of 1999 (CRC/C/15/Add.111) which have not been implemented or not sufficiently implemented and, in particular, those related to budget allocation (para. 11), training and dissemination (para. 12) and corporal punishment (para.16).</p>

Selected Paragraph	Theme	Recommendation
Para. 11	Allocation of resources	<p>11. With reference to its general comment No. 19 (2016) on public budgeting for the realization of children’s rights, the Committee reiterates its previous concluding observations (CRC/C/15/Add.111, para. 11) and recommends that the State party in planning its future budgets increase allocated budgetary resources for children to the maximum extent possible in accordance with article 4 of the Convention and in particular increase budget and expenditures for the Child Desk coordination within the Ministry of Justice and Community Services (MoJCS).</p>
Para. 16	Dissemination, awareness-raising and training	<p>16. While noting the awareness raising on the Convention at national and community level, particularly the State party’s partnership with the civil society organisations, traditional leaders and churches, the Committee recalls its previous concluding observations (CRC/C/15/Add.111, para. 12) and recommends that the State party:</p> <ul style="list-style-type: none"> a) Strengthen community awareness programmes, including campaigns, and efforts in order to ensure that provisions and principles of the Convention are widely recognised and understood and make sure that children, parents, communities and church leaders play a key role in such initiatives; b) Strengthen awareness at the national and local level, particularly among the government officials that work directly on children’s rights, and among children networks, parents and communities; c) Engage with community and parents in discussion on children’s rights, in particular on the issues such as gender, child marriage and child labour.
Para. 25	Corporal punishment	<p>25. With the reference to the general comment No. 8 (2006) on corporal punishment, the Committee urges the State party to:</p> <ul style="list-style-type: none"> a) Amend existing legislation, in particular the Family Protection Act, and the Penal Code and explicitly prohibit corporal punishment in all settings; b) Immediately and effectively implement the Education Act prohibiting corporal punishment in schools and strengthen teacher training on alternative forms of discipline and ensure it is part of pre- and in-service training programmes; c) Develop Guidelines for the implementation of the prohibition of corporal punishment in accordance with the Education Act and vigorously prosecute offenders; d) Provide programmes for parents, teachers, the police and professionals that work with and for children to

		<p>encourage the use of alternative non-violent forms of discipline;</p> <p>e) Provide children with a complaints mechanism in schools so that they can safely and confidentially report teachers that continue to use corporal punishment despite the ban;</p> <p>f) Strengthen awareness raising programmes, trainings and other activities to promote the change of mind set with regard to corporal punishment, particularly in schools, family and at the community level.</p>
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Committee on the Rights of Persons with Disabilities (CRPD)

Review Cycle I: 21st Session (2019)

Concluding Observations (COBs): [CRPD/C/UT/CO/1](#)

COBs
<p>Follow-up</p> <p>58. The Committee emphasizes the importance of all the recommendations contained in the present concluding recommendations. With regard to urgent measures that must be taken, the Committee would like to draw the State party ' s attention to the recommendations contained in paragraphs 13, on women with disabilities, and 41, on education.</p>

Selected Paragraph	Theme	Recommendation
Para. 13	Women with disabilities (art. 6)	<p>12. The Committee is concerned about:</p> <p>a) The persistence of patriarchal attitudes and discriminatory stereotypes concerning women and girls with disabilities;</p> <p>b) The lack of reasonable accommodation for women with disabilities.</p> <p>13. Recalling its general comment No. 3 (2016) on women and girls with disabilities and in view of targets 5.1, 5.2 and 5.5 of the Sustainable Development Goals, the Committee recommends that the State party:</p> <p>6. Strengthen awareness-raising campaigns, at the village level, on the rights of women and girls with disabilities to eliminate stereotypes and prejudices concerning them;</p> <p>7. Ensure that women and girls with disabilities are not denied reasonable accommodation, such as the provision of individualized support in education, political and public life and economic activities, in any areas,</p>

		including through the meaningful participation of women with disabilities.
Para. 41	Education (art. 24)	<p>40.The Committee is concerned that:</p> <ul style="list-style-type: none"> a) Many children with disabilities remain at home and do not receive support to access inclusive education; b) One of two schools with inclusive education has stopped its pilot programme due to budgetary constraints; c) There is a lack of accessible educational materials, facilities and accessible formats of communication in schools, including sign language, Braille, Easy Read and plain language; d) There is insufficient training for teachers and non-teaching staff on the right to inclusive education. <p>41. Recalling its general comment No. 4 (2016) on the right to inclusive education and Sustainable Development Goal 4, especially targets 4.5 and 4.A, the Committee recommends that the State party:</p> <p>12.Strengthen efforts to raise awareness among families of children with disabilities and their communities about the right of children with disabilities to inclusive education;</p> <p>13.Provide sufficient human, technical and financial resources and continue efforts to implement the Inclusive Education Policy and Strategic Plan (2010–2020) to ensure that children with disabilities enjoy their right to inclusive education in all mainstream schools, with individualized support;</p> <p>14.Ensure that persons with disabilities are not denied reasonable accommodation at all levels of education through individualized support, including the use of technology, classroom support and accessible learning materials;</p> <p>15.Ensure continuous training for teachers and non-teaching staff on inclusive education at all levels, including training in sign language and other accessible formats of information and communication.</p>

Annex C – List of Participants

Treaty Body Follow-Up Review in the Pacific – Fiji, Tonga, Vanuatu
28 – 30 November 2023
Tanoa International Hotel
Nadi, Fiji

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