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## **Report of the Working Group on the Universal Periodic Review\***

### **Tonga**

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\* The annex is being circulated without formal editing, in the language of submission only.



## Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its forty-third session from 1 to 12 May 2023. The review of Tonga was held at the 2nd meeting, on 1 May 2023. The delegation of Tonga was headed by the Minister of Foreign Affairs and Tourism, Fekitamoeloa 'Utoikamanu. At its 10th meeting, held on 5 May 2023, the Working Group adopted the report on Tonga.

2. On 11 January 2023, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Tonga: Benin, Czechia and Maldives.

3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of Tonga:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a);<sup>1</sup>

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b);<sup>2</sup>

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c).<sup>3</sup>

4. A list of questions prepared in advance by Germany, Liechtenstein, Panama, Portugal, on behalf of the Group of Friends on national mechanisms for implementation, reporting and follow-up, Slovenia, Spain, the United Kingdom of Great Britain and Northern Ireland and the United States of America was transmitted to Tonga through the troika. These questions are available on the website of the universal periodic review.

## I. Summary of the proceedings of the review process

### A. Presentation by the State under review

5. The head of the delegation of Tonga stated that Tonga had received a total of 110 recommendations from the third review cycle, of which it supported 52 recommendations. She noted that Tonga was still pursuing certain recommendations and had completed work on others, and stressed that 58 recommendations were specific to the particular circumstances of Tonga.

6. Ranking third worldwide in terms of risk of natural hazards, Tonga had continued to encounter the well-known challenges shared by other small island developing States. Tonga had taken extra measures to address those challenges by developing the first integrated policy on disaster risk management and climate change policy in the region.

7. She stressed that during the period from 2018 to 2023, two significant natural disasters had taken place that had affected overall progress and development in Tonga, especially in the field of human rights. As a result of the global coronavirus disease (COVID-19) pandemic, the Government had decided to close the borders from March 2020 to August 2022. On 1 February 2022, after two years of thus keeping the COVID-19 at bay, Tonga had experienced its first community outbreak. With the support of development partners and the United Nations system, Tonga had achieved a high level of vaccination among its people and opened its borders on 1 August 2022. The Government had provided assistance, including cash grants, to vulnerable persons, older persons, persons with disabilities, private sector employees and employers, and those working in the informal sector.

8. On 15 January 2022, just two weeks after the current Administration had assumed power, the Hunga Tonga-Hunga Ha'apai volcanic eruption and ensuing tsunami had occurred, an event that happened only once in a thousand years and the most powerful and

<sup>1</sup> [A/HRC/WG.6/43/TON/1](#).

<sup>2</sup> [A/HRC/WG.6/43/TON/2](#).

<sup>3</sup> [A/HRC/WG.6/43/TON/3](#).

destructive disaster known in the recent history of Tonga. The humanitarian component of the recovery had included relocation of people from three islands and several villages to temporary shelters in Tongatapu and 'Eua, and reconstruction through the provision of government grants to provide a standard house for those whose homes had been completely destroyed and a fixed cash grant for those whose homes had major and minor damage. She stressed that although the Government had renewed its national priorities throughout those major challenges, Tonga remained committed to progressing its human rights responsibilities and obligations to the best of its ability and within its capacity.

9. Tonga had developed multiple national human rights frameworks to protect the rights of vulnerable groups in society. Tonga had also established welfare programmes to empower caregivers to provide proper care for older persons. The national disability policy, developed by the Ministry of Justice, ensured that all persons with disabilities had access to justice with the necessary support and the Ministry of Infrastructure had policies in place to ensure that all major projects featured a disability-friendly component.

10. While Tonga had not yet ratified all of the core international human rights conventions, it had national legislation that incorporated the principles of conventions that it had yet to ratify. Tonga had successfully submitted its initial report to the Committee on the Rights of the Child in April 2018, its first report since having acceded to the Convention on the Rights of the Child in 1995.

11. Tonga had established a Cabinet working group to review the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for ratification, and the review had been completed pending final approval. Tonga had also established a Cabinet committee to deal with community issues concerning the ratification of the Convention on the Elimination of All Forms of Discrimination against Women. The Social Protection and Disability Division in the Ministry of Internal Affairs had also undertaken community consultations for the ratification of the Convention on the Rights of Persons with Disabilities.

12. Regarding efforts to establish a national human rights institution, Tonga had participated in several Pacific regional forums, including the most recent one on national human rights institutions, held in February 2023. The Ministry of Justice and Prisons had been tasked with the follow-up process, which might lead to options moving forward on a national human rights institution.

13. Regarding the national mechanism for implementation, reporting and follow-up, the Government had recognized the importance of implementing of review recommendations by establishing a working group on the universal periodic review in 2012. The working group had met every two months to keep track of progress in implementing of review recommendations and had conducted workshops in relation to the review process. The existing national mechanism for implementation, reporting and follow-up was being facilitated by the National Planning Division in the Prime Minister's Office, which ensured that the work of government ministries, departments and agencies was in line with government priorities and conducted monitoring every six months through the monitoring and evaluation process. The existing mechanism could also be used to track the progress of implementation of review recommendations through the monitoring and evaluation matrix.

14. Regarding ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Tonga recognized the importance of ratifying the Convention against Torture and remained hopeful that it would do so before the end of 2023. Regarding the status of the process of ratification of the Convention on the Rights of Persons with Disabilities, consultations were still ongoing to build more community awareness before ratification of that very important Convention.

15. Regarding steps taken to ratify the International Covenant on Civil and Political Rights, and despite the fact that Tonga had not ratified the Covenant, the Supreme Court took guidance from it. The Working Session of the Commonwealth Pacific Parliamentary Human Rights Group had recently facilitated a workshop in Tonga to assist Tongan parliamentarians in improving their work towards promoting human rights in Tonga and to promote commitment to ratifying more human rights treaties, including the Covenant.

16. Regarding steps taken to ratify the Rome Statute of the International Criminal Court, as amended in 2010, Tonga had been one of seven Pacific island States to have actively participated in a Pacific Islands round table on the ratification and implementation of the Rome Statute, held in Port Vila on 31 May 2019, reflecting the support of the Government of Tonga for such initiatives. The round table had been facilitated by Parliamentarians for Global Action, in cooperation with the Governments of Vanuatu and the Republic of Korea and the International Criminal Court and in partnership with the European External Action Service.

17. Regarding ratification of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, Tonga had a comprehensive piece of national legislation, the Counter-terrorism and Transnational Organized Crime Act (Act No. 23 of 2013), which gave effect to its international obligations under certain United Nations counter-terrorism conventions and instruments and under the United Nations Convention against Transnational Organized Crime.

18. Regarding the prevention of the prevalence of sexual and gender-based violence, Tonga continued to have multiple programmes, which were supported at bilateral, regional and multilateral levels, to deal with sexual and gender-based violence. In that regard, many investments had been made with development partners to deal with that complex issue, including legal, intergenerational and behavioural issues.

19. Regarding the Government's plan to minimize the impact of climate change and volcano activity on the right to safe drinking water and sanitation, the National Emergency Management Committee had several clusters to address important basic needs, including water. Under the Water Resources Act (Act No. 2 of 2020), the National Water Resources Committee had been established and was responsible for ensuring that effective monitoring of water resources and their quality was conducted by the responsible ministries and agencies, and that records of such monitoring were maintained and made accessible. There were also several water and sanitation projects currently being implemented in Tonga.

20. Regarding gender equality and the protection of women from violence and discrimination, Tonga had established the Family Protection Legal Aid Centre in 2018 to assist victims of domestic violence, and the Centre had become part of the Ministry of Justice in 2022. Tonga was dedicated to ensuring that efforts aimed at achieving gender equality and protecting women from all forms of violence and discrimination were consistently monitored and evaluated. Such monitoring and evaluation was conducted through a series of national surveys by the Tonga Statistics Department, in collaboration with the Ministry of Health and with the technical support of the Ministry of Internal Affairs and other key government ministries, the United Nations Children's Fund, the United Nations Population Fund, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), the Pacific Community and other partners.

21. Regarding the abolition of the death penalty and decriminalization of consensual same-sex relations between adults, the death penalty remained the ultimate criminal sanction lawfully available in the country and the determination of Tonga for constitutional and political reform and its consideration of other international human rights instruments might offer further opportunities for discussion and debate on that issue. Decriminalization of consensual sex between same-sex adults was an issue that Tonga wished to consider further, as it required thorough, robust and comprehensive dialogues against a backdrop of cultural sensitivities and conservative Christian values in Tongan society.

22. Regarding the promotion of the well-being, health, safety and security of all people in the Pacific, Tonga had localized the 2050 Strategy for the Blue Pacific Continent through its national development strategy, in the Tonga Strategic Development Framework 2015–2025 and the Government Priority Agenda. Tonga had also established the dedicated Tonga National Child Protection Policy Committee in 2021 to deliver a policy for the protection of children, including children with disabilities.

23. The impact of the application of the National Women's Empowerment and Gender Equality Tonga Policy and Strategic Plan of Action 2019–2025 and the Tonga National Service Delivery Protocol for Responding to Cases of Gender-based Violence, could already

be seen in the increase in the number of capacity-building initiatives to address gender issues. The Women's Affairs Division of the Ministry of Internal Affairs had facilitated multiple training course on gender issues with government ministries and civil society. The implementation of those measures was ongoing and the results of their implementation could be identified during the next review cycle.

24. Regarding measures taken to ensure universal birth registration in Tonga and to provide access to Tongan nationality for children born in the territory who would have otherwise been stateless, the Nationality Act was amended in 2007 to ensure that a child born to a Tongan mother, irrespective of the nationality of the father, was considered a Tongan national. Tonga had the legal framework sufficient to provide all children born in Tonga with a birth certificate.

25. Regarding protection of the rights of the child, including the introduction of legislation prohibiting child labour and specifying a minimum age for employment, Tonga had ratified the Worst Forms of Child Labour Convention, 1999 (No. 182), of the International Labour Organization (ILO) on 4 August 2020. In addition, the Labour Division of the Ministry of Trade and Economic Development was working towards the ratification of the ILO Minimum Age Convention, 1973 (No. 138).

26. Regarding measures taken to combat ageism, eliminate age discrimination in all its forms and protect human rights of older persons, the social welfare policy included monetary benefits for Tongan older persons from age of 70 years. Tonga had increased the age of retirement for chief executive officers and was reviewing a proposal to raise the retirement age from 60 to 65 years.

## **B. Interactive dialogue and responses by the State under review**

27. During the interactive dialogue, 59 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

28. Mexico welcomed efforts to eliminate gender violence through the reform of the Family Protection Act, and the measures taken to combat trafficking in persons, and offered its expertise and technical assistance.

29. Montenegro noted the commitment of Tonga to international human rights standards and to engaging with human rights mechanisms, and encouraged Tonga to ratify key international human rights treaties and to continue to bring its legislation into line with international human rights standards.

30. Namibia noted the progress made by Tonga in promoting and protecting human rights, notwithstanding the significant challenges brought about by the negative effects of climate change, and commended Tonga for providing free medical and dental care to all persons in the country.

31. Nepal noted the Tonga Strategy for the Development of Statistics 2019–2023, social welfare policies targeting older persons and persons with disabilities, the Joint National Action Plan on Climate Change and Disaster Risk Management 2018–2028, and the Public Service Sexual Harassment Policy, among others.

32. The Kingdom of the Netherlands noted the establishment of the Family Protection Legal Aid Centre for survivors of domestic and gender-based violence, including LGBTIQI+ persons, but remained concerned about the challenges that prevented the enjoyment of human rights by LGBTIQI+ persons.

33. New Zealand commended Tonga for its ongoing commitment to the advancement of human rights.

34. The Niger expressed appreciation for the adoption of the social welfare policy, the National Strategic Plan for Long-term Care 2020–2024, the universal health policy, and the National Women's Empowerment and Gender Equality Tonga Policy and Strategic Plan of Action.

35. Pakistan welcomed the cooperation by Tonga with international human rights mechanisms, and expressed appreciation for the measures taken to further the human rights agenda, including the launch of the National Women's Empowerment and Gender Equality Tonga Policy and Strategic Plan of Action 2019–2025 and the establishment of the Family Protection Legal Aid Centre.
36. Paraguay recognized the progress made by Tonga with regard to the adoption in 2013 of the Family Protection Act and the Education Act and the ratification in 2020 of the ILO Worst Forms of Child Labour Convention, 1999 (No. 182).
37. Portugal commended Tonga for having established the Social Protection and Disability Division in the Ministry of Internal Affairs, and for having ratified the ILO Worst Forms of Child Labour Convention, 1999 (No. 182).
38. The Russian Federation noted with satisfaction the steps taken by Tonga to strengthen legal instruments for the protection of human rights, in particular the adoption of new laws aimed at implementing the recommendations from the third review cycle.
39. Samoa commended Tonga for its universal health coverage and for its efforts to implement the Tonga climate change policy, entitled "A Resilient Tonga by 2035", and recognized the challenges faced by small island developing States, especially in relation to the ratification of human rights instruments, data collection, reporting and implementation.
40. Singapore commended Tonga for its continued implementation of the Tonga climate change policy, "A Resilient Tonga by 2035", and for the installation of an early warning system for natural disasters, and welcomed the initiative to deliver home-based care to older persons.
41. Slovenia noted the efforts made by Tonga to promote woman's participation in political life and in decision-making, but remained concerned about reports of pervasive gender-based violence.
42. Spain welcomed the measures taken on gender equality, such as the National Service Delivery Protocol for Responding to Cases of Gender-based Violence, and the expansion of the criminal offence of rape to include rape in the context of marriage and partnership.
43. Sri Lanka commended Tonga for the progress made in protecting and promoting human rights since the previous review cycle, and noted the National Women's Empowerment and Gender Equality Tonga Policy and Strategic Plan of Action 2019–2025.
44. Switzerland welcomed the visit of the Convention against Torture Initiative to Tonga in February 2019, and expressed concern that Tonga had not yet abolished the death penalty, including for minors.
45. Thailand noted the legal frameworks, policies and measures that had been put in place to empower women, despite Tonga not being a State party to the Convention on the Elimination of All Forms of Discrimination against Women, and welcomed the commitment to addressing the challenges of climate change.
46. Timor-Leste commended Tonga for the progress made in the area of human rights since the previous review cycle and noted the adoption, among others, of the National Women's Empowerment and Gender Equality Tonga Policy and Strategic Plan of Action 2019–2025.
47. Ukraine noted the positive steps taken to address discrimination against women and to increase the participation of women at all levels, and stated that it was essential to continue to strengthen the legal framework in relation to the protection of children.
48. The United Kingdom was saddened by the murder of Polikalepo Kefu, a leading human rights activist for LGBTI+ rights, and encouraged Tonga to take concrete steps to repeal laws that sanctioned and discriminated against LGBTI+ persons.
49. The United Republic of Tanzania welcomed the positive developments made since the previous review cycle, and commended Tonga for the measures taken to improve the livelihoods of older persons and for the progress made in the education sector.

50. The United States commended Tonga for the successful general election in 2021, which had been characterized by international observers as generally free and fair, but noted that it remained concerned about discrimination toward LGBTIQI+ persons, infringements of women's rights and corruption.

51. Uruguay welcomed the efforts made by Tonga to continue to advance in the fulfilment of its human rights commitments, including the various policies adopted to protect the rights of the most vulnerable groups.

52. Vanuatu commended Tonga for its efforts in promoting and protecting human rights, despite the challenges posed by the COVID-19 pandemic and natural disasters.

53. The Bolivarian Republic of Venezuela commended Tonga for having submitted its initial report to the Committee on the Rights of the Child in 2018, and welcomed the poverty elimination programme, aimed at improving the opportunities for progression among its students.

54. Yemen expressed appreciation for the achievements of Tonga in the area of human rights, particularly the policy of providing support, including the necessary social care, for vulnerable groups, and noted the plan to establish a national human rights institution, the adoption of legislation and the ratification of international human rights treaties.

55. Algeria commended Tonga for having launched the National Strategic Plan for Long-term Care 2020–2024 for its older population, and for having incorporated the principles of the International Covenant on Economic, Social and Cultural Rights into its national legislation.

56. Argentina made recommendations.

57. Australia commended Tonga for having launched the National Women's Empowerment and Gender Equality Tonga Policy and Strategic Plan of Action 2019–2025 and for having developed a national disability policy, and encouraged Tonga to use robust data to inform decision-making, planning and service delivery and to ensure sustainable funding for those policies.

58. The head of the delegation of Tonga acknowledged the recommendations provided by States during the interactive dialogue regarding issues such as the prohibition of marriage under the age of 18 years, accession to and ratification of all human rights treaties, legislation on trafficking in persons, punishment of all forms of slavery, the status of refugees and stateless persons, further measures for persons with disabilities, women's empowerment, gender equality, the promotion of children's rights, and women's participation at all levels. Responding with respect to some of those issues, the head of the delegation stated that Tonga had already started working on raising the age of marriage from 15 to 18 years, that the Tongan Constitution strictly prohibited slavery, and that legislation on trafficking in persons was an important point for Tonga to consider. Tonga had also worked to increase women's participation in education and in the workplace.

59. The head of the delegation also acknowledged other recommendations provided by States during the interactive dialogue, regarding issues such as the abolition of the death penalty, vaccination of children, women's access to justice, training for staff on gender-based violence, ratification of the Convention against Torture and the Convention on the Elimination of All Forms of Discrimination against Women, measures for vulnerable groups and including those in rural areas, climate change policies, the independence of the Office of the Auditor General and the Office of the Ombudsman, and the Sustainable Development Goals. In that regard, she stated that Sustainable Development Goals had already been domesticated in the national planning document.

60. The Bahamas recognized the commitment of Tonga to protecting older persons by increasing provisions under the national social welfare policy and launching the National Strategic Plan for Long-term Care 2020–2024; noted efforts to accede to and consider acceding to core international human rights treaties; and recognized the significant disruption in recent years, which might have hindered progress in advancing human rights and the Sustainable Development Goals.

61. Brazil congratulated Tonga for having built its democratic institutions and for having progressively implemented policies that improved the lives of vulnerable groups, but noted that several laws were not in accordance with the Convention on the Rights of the Child, including with regard to child marriage.
62. Canada commended Tonga for the series of programmes that it had conducted in schools to raise awareness of child abuse, for the work of the police in assisting the National Centre for Women and Children to provide shelter for women and children, and for the fair and peaceful national elections held in 2021, and noted the increased number of women parliamentarians.
63. Chile congratulated Tonga for having established the prohibition of all forms of trafficking in persons, and urged it to continue to fight against that form of slavery, especially by providing specialized training to police and other law enforcement officers.
64. China noted that despite the COVID-19 pandemic and natural disasters, Tonga had protected the safety and well-being of its people, and had strengthened efforts to combat climate change, trafficking in persons and domestic violence and to protect the rights of vulnerable groups, including women, children and older persons.
65. Colombia welcomed the will of the Government of Tonga to continue to advance the fulfilment of its commitments in terms of human rights.
66. Costa Rica welcomed the development by the Ministry of Justice of the national policy on persons with disabilities and access to justice, and acknowledged the publication of the revised version of the Joint National Action Plan on Climate Change and Disaster Risk Management 2018–2028.
67. Cuba noted the commitment of Tonga to implementing the recommendations from the previous review cycle, and commended Tonga for its commitment to the promotion and protection of human rights.
68. The Dominican Republic commended Tonga for its efforts to eliminate all forms of discrimination against women, and welcomed the adoption of the National Strategic Plan for Long-term Care 2020–2024, aimed at providing the necessary care for older persons.
69. Fiji noted that it understood the unique human rights challenges arising from the increasingly adverse effects of climate change and natural disasters; commended Tonga for its commitment to the 2030 Agenda for Sustainable Development; and welcomed the ratification by Tonga of core human rights instruments, while noting the challenges of reporting against a backdrop of human resource constraints.
70. Finland expressed appreciation for the engagement by Tonga in the review process, and for the progress made since the previous review cycle.
71. France welcomed the reforms undertaken by the authorities of Tonga to strengthen institutional representativeness.
72. The Gambia thanked Tonga for its continued and constructive engagement with the review mechanism.
73. Georgia positively assessed the efforts made by Tonga to prevent trafficking in persons and people smuggling; welcomed the measures taken to develop early childhood education, including the launch of a policy framework; and noted the steps taken towards ratification of the Convention on the Elimination of All Forms of Discrimination against Women and the Convention against Torture, including the creation of relevant working groups.
74. Germany commended Tonga for its long-standing moratorium on executions, and for having created favourable conditions for civil society organizations to pursue their work, but remained concerned about the fact that Tonga had not ratified a number of core human rights conventions, about the high levels of domestic and sexual violence and discrimination against women and girls and about the criminalization of same-sex relationships.



75. Honduras commended Tonga for its progress in ensuring access to education and punishing domestic violence, and for promoting youth participation, and welcomed the efforts made to protect the well-being of women and persons with disabilities.

76. Iceland made recommendations.

77. India commended Tonga for its efforts to promote and protect human rights, despite the challenges faced, and expressed appreciation for the launch of the National Strategic Plan for Long-term Care 2020–2024 and the National Health Information System and for the ratification of the ILO Worst Forms of Child Labour Convention, 1999 (No. 182).

78. Indonesia recognized the significant efforts made by Tonga in implementing the recommendations from the previous review cycle and its continued commitment to advancing human rights, and noted that it was encouraged by the measures taken to accede to a number of international human rights conventions, including the Convention against Torture, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of Persons with Disabilities.

79. Iraq welcomed the efforts made by Tonga to develop its legislative system through the adoption of a number of laws, including the Family Protection Act and the Education Act.

80. Ireland welcomed the establishment of the Family Protection Legal Aid Centre for survivors of domestic violence and gender-based violence and the progress made in addressing trafficking in persons, but was concerned that there had been no progress with regard to the recommendations from the previous review cycle on decriminalization of same-sex relations.

81. Italy welcomed the efforts made by Tonga to improve the protection of human rights, including gender equality and women's empowerment, its accession to the United Nations Convention against Corruption and its ratification of the ILO Worst Forms of Child Labour Convention, 1999 (No. 182).

82. Latvia noted the measures taken since the previous review cycle and encouraged Tonga to take further efforts to fulfil its human rights obligations and commitments.

83. Lithuania commended Tonga for developments in the area of human rights since the previous review cycle and positively noted the increased efforts to combat gender-based violence and to further strengthen the legal framework towards achieving gender equality, noting, however, that it remained concerned about the maintenance in law of the death penalty and the increase in cases of domestic violence.

84. Luxembourg commended Tonga for the progress made in various areas, including the adoption of a comprehensive policy on response to domestic violence and the Tonga National Youth Strategy 2014–2019.

85. Malaysia commended Tonga for its efforts to promote and protect human rights, despite major challenges, and expressed hope that the international community and OHCHR would continue to provide the necessary support for the Voluntary Fund for Participation in the Universal Periodic Review and the Voluntary Fund for Financial and Technical Assistance in the Implementation of the Universal Periodic Review, to allow for the participation of Tongan nationals in the work of the Human Rights Council.

86. Maldives noted the initiatives undertaken by Tonga to protect and safeguard vulnerable groups by assisting them to become more resilient to the impact of climate change and natural disasters, and welcomed the Joint National Action Plan on Climate Change and Disaster Risk Management 2018–2028, which was aimed at addressing the ongoing challenges of climate change.

87. The Marshall Islands commended Tonga for its efforts to implement a disaster recovery plan for vulnerable people, noted the Joint National Action Plan on Climate Change and Disaster Risk Management 2018–2028, which focused on protecting vulnerable groups, and expressed concern about increased gender-based violence during the pandemic and following the volcanic disaster.

88. Mauritius expressed appreciation for the efforts made by Tonga to promote human rights, and congratulated Tonga on its policies, in particular the Tonga climate change policy, “A Resilient Tonga by 2035”, which was multifaceted, cross-sectoral, and gender-inclusive.

89. The head of the delegation of Tonga acknowledged the recommendations provided by States during the interactive dialogue regarding issues such as the need for special training on trafficking in persons, improvement of the health-care system, access for persons with disabilities to health care, monitoring of children’s rights, quality of education, access to inclusive education, institutional reforms and migration policy. With respect to migration policy, she stated that Tonga was implementing a national migration policy and had also carried out a comprehensive review of its immigration laws.

90. In her concluding remarks, the head of the delegation emphasized that Tonga remained committed to improving its fulfilment of its human rights obligations in harmony with its unique culture and traditions. Tonga recognized the values of the fundamental principles of human rights, especially for vulnerable and marginalized groups in society. Most of the Tongan national legislative and regulatory frameworks reflected and acted upon the principles of human rights, and represented a clear expression of the commitment of Tonga to promoting and protecting human rights.

## II. Conclusions and/or recommendations

91. The following recommendations will be examined by Tonga, which will provide responses in due time, but no later than the fifty-fourth session of the Human Rights Council:

91.1 Consider signing and acceding to the core international human rights treaties to which it is not yet a party (Timor-Leste);

91.2 Make efforts to ratify the main international human rights instruments to which it is not yet a State party (Honduras);

91.3 Enhance its efforts to conclude the ongoing process of accession to the rest of the unratified core international human rights treaties (Indonesia);

91.4 Continue its review and preparatory efforts with a view to ratification of core international human rights instruments, including the Convention on the Elimination of All Forms of Discrimination against Women and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Bahamas);

91.5 Consider, in line with the recommendation of the Committee on the Rights of the Child, ratifying a number of human rights treaties and covenants, such as the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, thus ensuring the better promotion and protection of the human rights of Tongans (Mauritius);

91.6 Consider signing and ratifying the International Covenant on Economic, Social and Cultural Rights (Finland);

91.7 Consider signing and ratifying the International Covenant on Civil and Political Rights (Finland);

91.8 Consider ratifying the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (France);

91.9 Consider ratifying the International Covenant on Civil and Political Rights and the two Optional Protocols thereto, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and

**Other Cruel, Inhuman or Degrading Treatment or Punishment and the Convention on the Rights of Persons with Disabilities (Latvia);**

**91.10 Sign and accede to core international human rights instruments, including the Convention on the Rights of Persons with Disabilities, the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Convention for the Protection of All Persons from Enforced Disappearance (Luxembourg);**

**91.11 Ratify all the major international human rights instruments that are awaiting ratification (Paraguay);**

**91.12 Ratify core international human rights treaties and optional protocols and fulfil its reporting obligations under the conventions that it has ratified (Ireland);**

**91.13 Ratify core international human rights treaties, including the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Convention on the Rights of Persons with Disabilities (Mexico);**

**91.14 Consider ratifying the International Covenant on Civil and Political Rights and in particular the second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Lithuania);**

**91.15 Ratify all core international human rights treaties, including the International Covenant on Civil and Political Rights (Namibia);**

**91.16 Step up efforts to ratify the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (Nepal);**

**91.17 Ratify the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the International Convention for the Protection of All Persons from Enforced Disappearance (Colombia);**

**91.18 Ratify the International Covenant on Civil and Political Rights and the second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Costa Rica);**

**91.19 Ratify the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and take steps to raise social awareness of these important instruments (Canada);**

**91.20 Ratify the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and other core human rights treaties, such as the Convention on the Elimination of All Forms of Discrimination against Women and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Germany);**

**91.21 Ratify the second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Germany);**

- 91.22 **Ratify the International Covenant on Civil and Political Rights and the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Australia);**
- 91.23 **Continue efforts towards ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Switzerland);**
- 91.24 **Continue efforts to ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Iraq);**
- 91.25 **Intensify efforts to advance the ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, as well as the Convention on the Elimination of All Forms of Discrimination against Women (Chile);**
- 91.26 **Finalize efforts to complete all internal processes for the ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Fiji);**
- 91.27 **Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Maldives) (Montenegro) (New Zealand);**
- 91.28 **Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and strengthen domestic implementation by establishing a Cabinet working group (United Kingdom of Great Britain and Northern Ireland);**
- 91.29 **Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, as previously recommended (Brazil);**
- 91.30 **Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Convention on the Rights of Persons with Disabilities (Dominican Republic);**
- 91.31 **Assess positively the possibility of ratifying the Convention on the Elimination of All Forms of Discrimination against Women (Cuba);**
- 91.32 **Continue efforts to ratify the Convention on the Elimination of All Forms of Discrimination against Women (Malaysia);**
- 91.33 **Step up its efforts in the national process to consider ratifying the Convention on the Elimination of All Forms of Discrimination against Women (Thailand);**
- 91.34 **Complete the process of ratification of the Convention on the Elimination of All Forms of Discrimination against Women (Dominican Republic);**
- 91.35 **Consider ratifying the Convention on the Elimination of All Forms of Discrimination against Women (France);**
- 91.36 **Consider ratifying the Convention on the Elimination of All Forms of Discrimination against Women (Ukraine);**
- 91.37 **Ratify the Convention on the Elimination of All Forms of Discrimination against Women (New Zealand);**
- 91.38 **Ratify the Convention on the Elimination of All Forms of Discrimination against Women and the Optional Protocol thereto (Iceland);**
- 91.39 **Ratify and implement into national law the Convention on the Elimination of All Forms of Discrimination against Women (Australia);**
- 91.40 **Ratify the Convention on the Elimination of All Forms of Discrimination against Women and the Optional Protocol to the Convention, and update legislation aiming to promote and protect all the rights of women and girls, in particular the rights to own and inherit land (Brazil);**

91.41 **Ratify the Convention on the Elimination of All Forms of Discrimination against Women and strengthen national measures to prevent and combat all forms of discrimination and violence against women, including domestic violence (Italy);**

91.42 **Ratify the Convention on the Elimination of All Forms of Discrimination against Women and consider a national plan of action to end sexual and gender-based violence (United Kingdom of Great Britain and Northern Ireland);**

91.43 **Consider ratifying the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Ukraine);**

91.44 **Ratify the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (Dominican Republic);**

91.45 **Consider ratifying the Convention on the Rights of Persons with Disabilities, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Gambia);**

91.46 **Strengthen efforts to ratify the Convention on the Rights of Persons with Disabilities (Italy);**

91.47 **Ratify the Convention on the Rights of Persons with Disabilities, including the Optional Protocol to the Convention on the Rights of Persons with Disabilities (Australia);**

91.48 **Ratify and implement the Convention on the Rights of Persons with Disabilities and support the disaggregation of reporting data by disability by the end of 2023 (United Kingdom of Great Britain and Northern Ireland);**

91.49 **Ratify the Convention on the Rights of Persons with Disabilities and strengthen action related to improving access for persons with disabilities to health, education, employment, public places, transport and information (Uruguay);**

91.50 **Take the necessary steps towards ratification of the International Convention for the Protection of All Persons from Enforced Disappearance, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Convention on the Elimination of All Forms of Discrimination against Women (Argentina);**

91.51 **Accede to the Convention relating to the Status of Refugees and the Protocol thereto (Niger);**

91.52 **Ratify the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness (Niger);**

91.53 **Ratify and fully align its national legislation with all the obligations under the Rome Statute of the International Criminal Court (Latvia);**

91.54 **Continue its constructive engagement and cooperation with the international human rights mechanisms, including through technical cooperation, in line with its voluntary undertakings (Algeria);**

91.55 **Continue efforts to update reporting to human rights treaty bodies (Bolivarian Republic of Venezuela);**

- 91.56 Guarantee constitutionally equality between women and men and ratify the Convention on the Elimination of All Forms of Discrimination against Women (Spain);
- 91.57 Continue to take targeted steps to improve national legislation in terms of respect for human rights and freedoms (Russian Federation);
- 91.58 Repeal or amend all discriminatory provisions in legislation, including section 118 of the Criminal Offences Act (Latvia);
- 91.59 Provide comprehensive support to the institution of the family (Russian Federation);
- 91.60 Continue to implement the National Strategic Plan for Long-term Care 2020–2024 to ensure that proper care is in place for the older population (United Republic of Tanzania);
- 91.61 Consider establishing an independent national human rights institution in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) (Timor-Leste);
- 91.62 Establish an independent national human rights institution compliant with the Paris Principles (Kingdom of the Netherlands); Establish an independent national human rights institution in compliance with the Paris Principles (Latvia);
- 91.63 Establish a national human rights institution in line with the Paris Principles (Malaysia) (New Zealand); Establish a national human rights institution in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (Luxembourg); Create a national human rights institution in accordance with the Paris Principles (Chile);
- 91.64 Work towards the establishment of a national human rights institution in line with the Paris Principles (Indonesia);
- 91.65 Work, in cooperation with OHCHR, to establish an independent national human rights institution in accordance with the Paris Principles that is in charge of monitoring and documenting human rights violations in the country (Dominican Republic);
- 91.66 Enhance efforts towards the establishment of an independent national human rights institution in compliance with the Paris Principles (Lithuania);
- 91.67 Address impunity for official corruption by investigating and prosecuting corruption cases, and by empowering the Office of the Auditor General and the Office of the Ombudsman through an increase in their political independence and funding (United States of America);
- 91.68 Establish a national mechanism for implementation, reporting and follow-up, and request technical assistance from OHCHR and other development partners to do so (Samoa);
- 91.69 Establish a permanent mechanism for the implementation, reporting and follow-up of human rights recommendations, and consider the possibility of receiving cooperation for this purpose (Paraguay);
- 91.70 Eliminate laws that foster discrimination on any grounds (Honduras);
- 91.71 Continue efforts to observe a moratorium on the death penalty and consider ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (France);
- 91.72 Establish a moratorium on the use of the death penalty, as a first step towards the complete abolition of this practice (New Zealand);

- 91.73 Establish a formal moratorium on the death penalty with a view to its eventual abolition (Latvia);
- 91.74 Move towards the abolition of the death penalty (Mexico);
- 91.75 Consider formally abolishing the death penalty (Timor-Leste);
- 91.76 Abolish the death penalty and eliminate corporal punishment, and ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Spain);
- 91.77 Abolish the death penalty completely and definitively within the normative framework, although the death penalty has not been applied in the country since 1982 (Paraguay);
- 91.78 Abolish the death penalty (Iceland) (Portugal);
- 91.79 Transform its de facto moratorium on the death penalty into an official moratorium with a view to abolishing the death penalty completely (Switzerland);
- 91.80 Adopt legislative measures to abolish the death penalty (Argentina);
- 91.81 Abolish the death penalty, in recognition of its de facto moratorium since 1982 (Canada);
- 91.82 Repeal provisions regarding the death penalty from its laws (Honduras);
- 91.83 Amend the Criminal Offences Act to explicitly prohibit the imposition and application of the death penalty to persons who committed their crimes before the age of 18 (Switzerland);
- 91.84 Amend the Criminal Offences Act to explicitly prohibit the imposition of the death penalty on persons under the age of 18, establish a moratorium on the use of the death penalty and move towards the eventual total abolition of the death penalty (Chile);
- 91.85 Consider introducing a de jure moratorium on capital executions and voting in favour of or abstaining on the General Assembly resolution on a moratorium on the use of the death penalty (Italy);
- 91.86 Continue efforts to combat corruption and consider adopting a law on financial transparency for elected officials (Marshall Islands);
- 91.87 Strengthen legislative and institutional frameworks to prevent, suppress and punish all forms of slavery, including trafficking in persons (Namibia);
- 91.88 Design and implement comprehensive and coordinated national policies to prevent and combat trafficking in persons (Uruguay);
- 91.89 Continue efforts to implement the national policy on migration and sustainable development to eradicate trafficking, which still persists in the country despite many actions undertaken (Cuba);
- 91.90 Continue efforts aimed at improving the fight against trafficking in persons (Georgia);
- 91.91 Continue efforts in the field of combating poverty while implementing the sustainable development plan until 2030 (Yemen);
- 91.92 Continue to protect economic, social and cultural rights and strive to achieve the Sustainable Development Goals (China);
- 91.93 Continue to consolidate its social and human rights policies, especially in the area of economic, social and cultural rights, in order to increase the quality of life of its people (Algeria);

- 91.94 Increase investment in the health-care sector to effectively protect people's rights to life and health (China);
- 91.95 Promote the right to health by taking steps to strengthen its health-care system, especially in dealing with chronic cases and non-communicable diseases, in particular in rural and remote areas (Malaysia);
- 91.96 Adopt a comprehensive sexual and reproductive health policy for adolescents and ensure that sexual and reproductive health education is part of the compulsory school curriculum (Luxembourg);
- 91.97 Decriminalize abortion (Iceland);
- 91.98 Mainstream climate change and environment education into the school curriculum (Samoa);
- 91.99 Promote the rights of the child by enhancing access to education and enrolment capacities (Sri Lanka);
- 91.100 Allocate the human, technical and financial resources necessary to strengthen and improve the education system and infrastructure, and provide human rights training to teachers (Fiji);
- 91.101 Continue its efforts to address the effects of climate change and ensure that its coastal communities remain protected (Singapore);
- 91.102 Adopt a human rights-based approach in the implementation of its climate change policies (Timor-Leste);
- 91.103 Adopt policies that protect the human rights of marginalized groups in the face of climate change (Vanuatu);
- 91.104 Strengthen collaboration with the United Nations and development partners to promote rural development, support agriculture and mitigate the impact of climate change (Vanuatu);
- 91.105 Further enhance the implementation of the Joint National Action Plan on Climate Change and Disaster Risk Management, and take appropriate measures to address the specific needs of all persons, especially children, women, persons with disabilities and persons living in remote areas (Thailand);
- 91.106 Enhance human rights awareness and education during national climate consultations, in particular on the rights of children, women and persons with disabilities (Samoa);
- 91.107 Ensure the effective implementation of national policy measures adopted to protect the rights of vulnerable groups from the impact of climate change and natural disasters (Indonesia);
- 91.108 Adopt concrete measures to protect vulnerable groups in order to help them better resist the consequences of climate change and natural disasters (Luxembourg);
- 91.109 Continue to pursue implementation of its second nationally determined contribution under the Paris Agreement, including the commendable goal of achieving 70 per cent renewable energy by 2030 (Marshall Islands);
- 91.110 Continue efforts to support vulnerable groups in the development process (Iraq);
- 91.111 Continue to consolidate its programmes and social policies in favour of the greater well-being of its people (Bolivarian Republic of Venezuela);
- 91.112 Increase the capacity of natural disaster prevention and preparedness to provide a solid foundation for people to enjoy the rights to subsistence and development (China);
- 91.113 Combat discrimination against women (Honduras);



- 91.114 Redouble efforts to combat all discriminatory practices against women, particularly with regard to their right to property (Colombia);
- 91.115 Eliminate discriminatory norms based on gender from the legal system and redouble efforts to combat any discriminatory practices against women and girls, in particular regarding their right to property, including through the ratification of the Convention on the Elimination of All Forms of Discrimination against Women (Kingdom of the Netherlands);
- 91.116 Repeal any provisions that directly or indirectly discriminate against women, including matters related to succession and ownership of property, land and assets (Mexico);
- 91.117 Consider implementing temporary special measures, such as quotas, to increase the number of women in decision-making positions in government systems at the national and local levels (Colombia);
- 91.118 Continue to reinforce social protection mechanisms to safeguard the rights of women, including their rights to work and to participate in the public sphere (Pakistan);
- 91.119 Ensure women's participation at all levels of decision-making and repeal legal provisions that discriminate against women, in order to promote gender equality (Paraguay);
- 91.120 Continue to advance the rights of women and their public participation (Sri Lanka);
- 91.121 Take measures to increase women's participation at all levels of social, political and economic decision-making (Canada);
- 91.122 Increase women's access to justice and ensure the affordability of legal services (Slovenia);
- 91.123 Take further steps to increase women's participation at all decision-making levels (Georgia);
- 91.124 Take measures to increase women's representation in decision-making positions (Lithuania);
- 91.125 Increase the participation of women at all levels of social, political and economic decision-making processes in the Government (Maldives);
- 91.126 Consider putting in place the necessary policies to ensure that all women, irrespective of the sector in which they are employed, benefit from equal amounts of paid maternity leave (Mauritius);
- 91.127 Continue with policy and legislative measures for combating gender-based violence, including by ensuring access to safe reproductive health services (India);
- 91.128 Broaden legislation protecting women's rights, including broader definitions of sexual assault and rape, and adjust land inheritance rights to include women and girls (United States of America);
- 91.129 Amend regulations, including the Criminal Offences Act, and take the necessary measures to provide protection for all persons against rape and related sexual offences (Ireland);
- 91.130 Increase protections from gender-based violence against women and girls (Germany);
- 91.131 Strengthen efforts to address all forms of violence against women and children and against persons on the basis of their sexual orientation and gender identity, including efforts to prevent violence, support survivors and remove obstacles that prevent access to justice (Fiji);

- 91.132 Continue efforts in monitoring, preventing and combating all forms of violence and abuse against women and children (Lithuania);
- 91.133 Adopt policies to prevent violence against women and ensure the protection of children (Honduras);
- 91.134 Adopt a holistic, coordinated approach to gender-based violence prevention and response that strengthens linkages across ministry mandates and addresses gender-based violence responses during emergency situations (Marshall Islands);
- 91.135 Ensure the capacity-building and training of front-line service providers in the area of gender-based violence to guarantee the provision of adequate services in their response to gender-based violence (Slovenia);
- 91.136 Take steps towards drafting and adopting a comprehensive child rights law with a budgeted implementation plan (Montenegro);
- 91.137 Develop and adopt comprehensive child rights legislation with a budgeted implementation plan (Luxembourg);
- 91.138 Strengthen measures to protect child rights (Pakistan);
- 91.139 Consider aligning the definition of a child in line with the provisions of the Convention on the Rights of the Child (Gambia);
- 91.140 Establish an independent mechanism for monitoring children's rights and strengthen the National Coordinating Committee for Children (Costa Rica);
- 91.141 Prohibit marriage to people under the age of 18 without exception, and reconsider the age of sexual consent (Mexico);
- 91.142 Implement actions to strengthen the protection of children's rights in the justice system, while moving towards the prohibition of corporal punishment for crimes against children (Uruguay);
- 91.143 Develop a legal framework for the protection of children, with special emphasis on raising the age of criminal responsibility, prohibiting child marriage and protecting children from extrajudicial corporal punishment in the context of the criminal justice system, and from corporal punishment in the home and sexual crimes within the domestic sphere (Chile);
- 91.144 Implement measures to further address low levels of vaccination coverage among children (Portugal);
- 91.145 Consider further measures for the promotion and protection of children's rights by ensuring access to inclusive and equitable quality education (India);
- 91.146 Take steps to protect children's rights and consider adhering to the Safe Schools Declaration; and end child marriage by raising the minimum age of marriage to 18 years for both boys and girls (Italy);
- 91.147 Continue to adopt policies and implement initiatives to ensure the welfare of older persons, including their access to health care (Singapore);
- 91.148 Further reinforce measures for the protection of the most vulnerable groups, including older persons and persons with disabilities (Pakistan);
- 91.149 Continue to strengthen the legal and policy framework to improve access for persons with disabilities to areas such as health, employment, education and public spaces, and ratify the Convention on the Rights of Persons with Disabilities (Spain);
- 91.150 Strengthen the legal and policy frameworks to enhance access for persons with disabilities to health, education and employment (Nepal);

- 91.151 Ensure that the rights of vulnerable groups, in particular women, children, persons with disabilities, older persons and ethnic minorities, are protected in law and in practice (Russian Federation);
- 91.152 Further strengthen the legal and policy framework for persons with disabilities, aiming to ensure better access to education, health care, housing, employment and information (Lithuania);
- 91.153 Strengthen the legal and policy framework to eliminate discrimination against persons with disabilities and remove barriers to their participation (Vanuatu);
- 91.154 Continue its efforts to address issues of violence against persons in vulnerable situations, such as women, children, older persons and persons with disabilities (Algeria);
- 91.155 Continue efforts to guarantee access for persons with disabilities to health, education, employment, public places, transportation and public information, guaranteeing their right to live independently and to be included in the community (Costa Rica);
- 91.156 Consider inclusive and equal access to education for children, especially children with disabilities (Gambia);
- 91.157 Make primary education free and improve the accessibility and quality of education, in particular for children with disabilities and children living in rural areas and the outer islands (Latvia);
- 91.158 Decriminalize consensual same-sex relations (Mexico);
- 91.159 Amend the Criminal Offences Act to decriminalize consensual same-sex activities and amend existing legislation that discriminates against LGBTIQI+ persons, including legislation related to gender identity and expression, access to health care, and same-sex marriage (Kingdom of the Netherlands);
- 91.160 Amend existing legislation that discriminates against LGBTIQI+ persons, including amending the Criminal Offences Act to decriminalize consensual same-sex activities (New Zealand);
- 91.161 Guarantee the protection of the rights of lesbian, gay, bisexual, transgender and intersex persons, decriminalizing consensual same-sex relations and protecting victims of discrimination on the basis of sexual orientation or gender identity (Spain);
- 91.162 Decriminalize consensual same-sex sexual relationships by repealing sections 136 and 140 of the Criminal Offences Act, which criminalize “sodomy”, and strengthen protections from discrimination for LGBTIQI+ persons (United States of America);
- 91.163 In follow-up to the recommendations made in 2013 and 2018, take urgent measures to repeal the rules that sanction and discriminate against lesbian, gay, bisexual, transgender and intersex persons, and investigate and punish perpetrators of acts of discrimination and violence against them (Argentina);
- 91.164 Decriminalize same-sex relations and put in place legislation to protect individuals from discrimination or violence on the basis of sexual orientation and gender identity (Brazil);
- 91.165 Repeal all legislation that criminalizes consensual same-sex relations, in line with international human rights standards (Canada);
- 91.166 Decriminalize consensual same-sex relations (Chile);
- 91.167 Decriminalize consensual same-sex relations, criminalize discrimination on the basis of sexual orientation and gender identity, as well as

**sexual violence, including corrective rape, and take action to end impunity (Costa Rica);**

**91.168 Decriminalize consensual same-sex relations between adults (Germany);**

**91.169 Amend the Criminal Offences Act to decriminalize consensual same-sex relations (Iceland);**

**91.170 Amend legislation that discriminates against LGBTQI+ persons, including legislation related to “cross-dressing” and access to health care (Iceland);**

**91.171 Legalize same-sex marriage (Iceland);**

**91.172 Ban unnecessary surgery on intersex children and respect their right to self-determination (Iceland);**

**91.173 Ban conversion therapies (Iceland).**

**92. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

## **Annex**

### **Composition of the delegation**

The delegation of Tonga was headed by Honorable Fekitamoeloa 'Utoikamanu, Minister of Foreign Affairs and Tourism and composed of the following members:

- Ms. 'Ilaisipa 'Alipate, Chief of Protocol/Deputy Secretary, Ministry of Foreign Affairs;
  - Ms. Ma'u Leha, Director of National Planning Department, Prime Minister's Office;
  - Ms. 'Akanesi Katoa, Senior Crown Counsel, Office of the Attorney General;
  - Ms. Mele Sikimeti Manitisa, Principal Statistician, Tonga Statistics Department;
  - Ms. 'Ana Lutua Laulaupea'alu, Legal Officer, Ministry of Justice
-