



Fusi Alofa members on International Day for Disabilities

TUVALU NATIONAL POLICY FOR PERSONS WITH DISABILITY

Revised November 2018

Policy intention

The ratification of the United Nations Convention on the Rights of Persons with Disabilities in 2013 has articulated clearly what we must aspire to as a country to create a more inclusive environment. It is therefore important that we engage in the actions which will foster the right environment to allow persons with disabilities to live, work, socialise, be educated and to be true participants in Tuvalu, living fulfilling lives that allows them to maximise their potential.

Acknowledgement

The original author's work within the 2016 draft policy is acknowledged and appreciated and the invaluable information contained within remains within the Policy. The useful contributions made by various stakeholders including persons with disabilities, members of civil society, Kapules and Government Ministries during the consultations, both in Funafuti and in each of the outer islands, has become the essence of the document. The efforts of the Tuvalu National Disabilities Coordination Committee and the Department of Community Affairs for taking ownership of and leading the drafting of the Policy is commendable.

Key international, national and regional agreements

- Tuvalu Study for People with Disabilities 2018
- UN Convention on Rights for People with Disabilities
- Incheon Strategy to Make the Right Real for Persons with Disabilities in the Asia Pacific Region 2013-2022
- Pacific Strategy on Disability 2016-2025
- United Nations Sustainable Development Goals
- UN Convention on Rights for the Child
- Pacific Regional Strategy on Disability 2016-2025
- Te Kakeega III
- Laws of Tuvalu
- Fusi Alofa Constitution
- Fusi Alofa Strategic Plan
- Tuvalu National Strategic Action Plan for Climate Change and Disaster Risk Management
- Tuvalu National Disaster Risk Management Arrangements (NDRMA)
- Tuvalu National Youth Policy
- National Human Rights Action Plan 2016-2020
- TC PAM Recovery Report

Abbreviations used

CRPD	United Nations Convention on Rights of Persons with Disabilities
EKT	Ekalesia Kelisiano Tuvalu
FAA	Fusi Alofa Association
NCCCR	National Coordinating Committee for Children's Rights
PDF	Pacific Disability Forum
PIFS	Pacific Islands Forum Secretariat
SPC	South Pacific Community
TASNOC	Tuvalu Association of Sports National Olympic Committee
TNDCC	Tuvalu National Disabilities Co-ordinating Committee
TUFHA	Tuvalu Family Health Association
UNESCAP	United Nations Economic and Social Commission for Asia and the Pacific
UN Women	United Nations Women
UNDP	United Nations Development Project

UNICEF United Nations International Children’s Emergency Fund

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Minister's Foreword



It is with great pleasure we present the National Policy for Persons with Disabilities. The policy strives for an inclusive society at all levels of development in Tuvalu.

Formulation of this Policy is predicated on the Strategic Area 4 of the National Sustainable Development Plan – *Te Kakeega III* which also embraces the State's obligation under the UN Convention on the Rights of Persons with Disabilities (UNCRPD) to respect, protect and fulfil the rights of Persons with Disabilities.

Tuvalu's National Policy on Disability has been developed in consultation with a wide range of Government agencies, non-governmental organisations and individuals including persons with disabilities throughout Tuvalu. The Policy reflects a consensus on the priorities and approach to be undertaken to address disability issues, particularly the needs and rights of persons with disabilities.

I acknowledge with appreciation the financial assistance of the Pacific Islands Forum Secretariat, Technical Assistance provided by the Pacific Disability Forum and the coordination role conducted by the Attorney General's Office of the Government of Tuvalu. In particular, gratitude is expressed to the invaluable contributions by key stakeholders including community leaders, Faith Based Organisations, individuals, civil society and the public service. Your shared insights have significantly contributed to the successful formulation of this Policy.

I look forward to the full cooperation of all key stakeholders to embrace the vision of the policy and to fully collaborate in implementation of this policy to ensure its success.

Fakafetai lasi,

Tuvalu mo te Atua.

A handwritten signature in blue ink, likely of Hon. Namoliki S. Neemia. The signature is stylized and cursive, with a horizontal line underneath it.

Hon. Namoliki S. Neemia
Minister for Home Affairs and Rural Development

Introduction

Disability is present in all population groups regardless of age, geographical location and socio-economic capacity among other factors. It is estimated that fifteen percent of the world's population has a disability, so it makes sense that measures are taken to make access to a fulfilling life for all. The Tuvalu Study on People with disability (2017) found 466 people with disabilities. This 4.5% of the population of 10,156 at the time (Tuvalu National Statistics Office end of 2016 estimate). Since the study found that people with disabilities faced multiple barriers that prevented their full participation in life, the implementation of a national policy is essential.

Whilst there have been significant efforts to draft this Policy, dedication is required to ensure that what is articulated within translates into improved lives for people with disabilities. The Tuvalu National Policy on Persons with Disability is the framework through which persons with disabilities can become full participants in their communities and are able to live fulfilling lives. The Policy is the basis on which we strive towards a community which fosters inclusion and encourages empowerment of persons with disabilities. Therefore, the continued cooperation and support from key stakeholders must remain consistent over the years ahead. The collective efforts from all within the community, civil society and the Government Ministries will begin to make a difference and become more effective over time. We believe that addressing the needs and rights of people with disabilities to will embed into our way of life so that people with disabilities can not only enjoy their human rights on an equal basis but live with dignity.

Fundamentally the Policy strives to be a guiding framework in meeting the needs of women, men and children with disabilities as well as their caregivers and families. This also reflects the key principles and core values of the United Nations Convention on the Rights of Persons with Disability (CRPD) which Tuvalu acceded in 2013, specifically the:

- Principles of non-discrimination
- Respect for inherent dignity
- Full and effective participation and inclusion

In addition to these core values and principles, the Policy stresses the link between disability and gender inequalities and gives precedence to women, girls and older persons with disabilities. Priority Area 7 focuses on women, children and older persons with disabilities and Priority Area 9 targets family life where the well-being of the caregiver is significant. Women and girls with disabilities are likely to experience the 'double discrimination', which includes gender-based violence, abuse and marginalisation on top of the difficulties they face in living with their disabilities. As a result, women with disabilities often must confront additional disadvantages even in comparison to men with disabilities and the women without disabilities. Double discrimination faced by women and girls with disabilities are frequently compounded by other factors such as being unemployed and not earning, thus the poverty and dependency this brings as well as being an inferior member of or a burden on the family. Girls with disabilities are at a higher risk of sexual abuse and unwanted and unplanned pregnancies, consequently 'disgracing' themselves and their families and raising risk of being ostracised and banished.

Purpose

Tuvalu's National Policy for Persons with Disability is intended to be the overall guiding framework for all stakeholders within Government and non-Government organisations, persons with disabilities, their families and caregivers and their organisation – the *Fusi Alofa* on addressing provision for them to thrive. It stresses the difference to paternalistic overprotection – it acknowledges their rights as people who are able to contribute to their community.

The Policy identifies priority strategic areas for building greater inclusion and dismantling the barriers that hinder the full participation of people with disability in the social and economic life of Tuvalu. It is the intention is to establish ownership of the people of Tuvalu through nationwide consultation including the outer islands and or the representatives of the outer islands living in Funafuti. Hence, the Tuvalu National Policy for Persons with Disability:

- is firmly grounded in the belief that persons with disability should be afforded equal opportunities and protection of their rights within a barrier-free and a rights-based society.
- recognises that barriers can take various forms, including attitudinal, physical or institutional. If such barriers are left, they can result in excluding or marginalising children with disabilities from the regular school system and in a lack of opportunities for vocational training which in turn inhibits access to employment and the opportunity to earn a living, thus a high risk of poverty;
- is aware that negative attitudes promote stigma, prejudice and discrimination and restricts or denies persons with disability, both as adults and as children, their right to full participation in every aspect of life, on an equal basis with others.
- restrict access to the physical environment, transport, information and communication technology; limit access to health services and social protection; and deny equal recognition before the law.

The Policy aims to:

- create greater awareness of the needs and rights of all persons with disability;
- ensure that women and girls with disability are included in all aspects of development;
- target both disability-specific activities intended to empower persons with disability and other activities aimed at ensuring greater disability inclusion and or mainstreaming across all development sectors and Government departments;
- give universal recognition to the dignity of persons with disabilities;
- ensure that persons with disability can be and are viewed as active members of society who can claim their rights and making decisions for their lives based on their free and informed consent.

This National Policy is drafted in a user-friendly style, using inclusive and people-friendly language. One of the cross-cutting themes in this policy is the gender perspective, ensuring that whilst all person with disability are included, women and girls with disabilities are given the focus that they so richly deserve.

Vision

Tuvalu aspires to be a nation that values the rights and equalities of all persons with disabilities so that they can thrive in barrier-free and inclusive communities.

Mission

To facilitate community engagement in ensuring that all persons with disability live a better life. To remove all barriers that hinder the full enjoyment and realization of fundamental rights and freedoms and create an inclusive environment; to provide equal opportunities to empower persons with disabilities in Tuvalu. For all stakeholders to effectively and efficiently coordinate, plan and implement efforts to improve the promotion, inclusion and protection of the rights of persons with disabilities.

Values and Principles

Tuvalu's National Disability Policy is underpinned by the following values and principles:

- a) Respect for inherent dignity, individual autonomy including the freedom to make one's own choices, and independence of people with disability;
- b) Non-discrimination ;
- c) Full and effective participation and inclusion in society;
- a) Respect for difference and acceptance of persons with disability as part of human diversity and humanity;
- b) Equality of opportunity;
- c) Accessibility;
- d) Equality between men and women;
- e) Respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities;
- f) Uphold Tuvaluan cultural and spiritual values that highlight inclusive family and communal life.

Definition of Disability

The definition used in this Policy will be based on the UN Convention on the Rights of Persons with Disability (CRPD) which does not offer a definition of disability but rather recognizes disability as:

'an evolving concept and that disability results from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others'.

As reflected in the Policy's vision and mission, Article1 of the CRPD, further clarifies that Persons with Disabilities:

'include those who have long-term physical, mental, intellectual or sensory impairments which in the interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.'

The Tuvaluan background and context of policy development

Even before the ratification of the CRPD in 2013, Tuvalu supported the collective efforts of Pacific countries to enhance the status and rights of persons with disabilities. It is an active member of the Pacific Island Forum, which accorded high priority to disability in recent years, including through its bi-annual regional Disability Ministers' meetings. At the 2003 Forum in

Auckland, leaders endorsed the UNECAP Biwako Millennium Framework for Action Towards a Barrier-free, Rights-based and Inclusive Society for Persons with Disability in Asia and the Pacific. Over the years the need to give more attention, funding and support to eradicating the barriers that people with disabilities face has become high on agendas at high level discussions. More recently in 2014, a zero draft of the Pacific Disability Rights Framework 2016-2025 was endorsed which prioritised active inclusion of persons with disabilities, mainstreaming disability inclusiveness, and strengthening the evidence base on disability. Disability is now commonly viewed as a development issue, thus the Policy is aligned to the aspirations of the Te Kakeega III to raise the standard of living for every citizen. This Policy is therefore a guide to making provision for better lives for persons with disability.

The Non-Government Disabilities Organisation

The *Fusi Alofa* is the only non-Government organisation for persons with disabilities in Tuvalu. The main office is in Funafuti with small branches in the outer islands. It was established on 15 May 2009. It is the first one of its kind in the country, with the main aim of improving the lives of people living with disabilities in Tuvalu. The organisation has a membership of more than 60 people with a multiple and complex needs. It is governed by a Board, 75 per cent of whom are persons with disabilities. For AUS\$1,000 per month (paid by PDF), it rents an office space in a residential area. The office is managed and run by two paid staff.

Some statistics

Until the 2012 National Census, there were few recorded statistics on persons with Disability. This census used a 'social model' of data collection from the UNCRPD definition, to ensure that the results captured was a national profile on the demographic characteristics and the common difficulties experienced by persons with disability. These statistics are invaluable in the making of this Policy, especially the following facts:

1. a total of 198 people (2%) at the age 60 years old and younger lived with disability; a higher percentage of these people resided in the outer islands (2.8%) compared to the population on Funafuti (1.4%);
2. a higher percentage of males (2.3%) compared to females (1.7%) have disabilities.

More recently, the Tuvalu Study on Persons with Disability (July 2018) was researched in 2017. Some of the findings that are pertinent to this Policy are:

1. there are 466 people were identified across the nine islands of Tuvalu,
2. 4.5% of the total population at the time;
3. this comprised 4.5% of the total population which was estimated by the National Statistics Office as 10,156;
4. there were more women than men living with disabilities, largely due to the longer life expectancy of women. Although the Study states that there are more women than men in the 60 and over age category, according to Table 5, there are this occurs only after the age of 45 years;
5. there was a predominance in the older age group with: 58.5% being 61 years of age or older;

6. the most common disability was difficulty with mobility, followed by sight, memory, self-care, communication and hearing;
7. although mental disability is not noted, there is reference to psycho-social disability and included who were born with or developed such disability later in life;
8. the Study states that mental disability was the most difficult to live with in Tuvalu;
9. many people have more than one disability;
10. the most common cause of disability was perceived to be old age, followed by almost equal numbers of disability present since birth; accident and as a result of diseases.

Regional and International Context

There is a commitment from the Government of Tuvalu to enhance the status and rights of persons with disabilities, seen from accepting and endorsing many regional instruments.

1. UN Convention on the Rights of the Child (1994)
2. Convention on the Elimination of all forms of Discrimination Against Women (1999)
3. Convention on the Rights of Persons with Disabilities (CRPD)
4. Incheon Strategy to make the Right Real for PWD in the Asia Pacific Region (2013-2022)
5. Pacific Regional Strategy on Disability (PRSD) (2016-2025)

The Policy is the instrument which is used to uphold the UN Convention for the Rights of Persons with Disabilities and provides an overall guiding framework is referenced in all Priority Areas.

Additionally, the Policy is strategically informed by two prominent national documents:

1. the Tuvalu Study on Persons with Disability (July 2018) directly informs this Policy, especially the research which was conducted in 2017. The recommendations are incorporated into each of the Priority Areas.
2. *Te Kakeega III*, the blueprint for the Government to improve the quality of life of the people of Tuvalu. Whilst the TKIII is written using development language most of the aspirations articulated within the Government document are linked to human rights, including rights to education, health, life, housing, employment, voting, participating in both national and local governments.

The diagram below illustrates where the Policy fits into the prominent working documents that have been endorsed by Tuvalu.

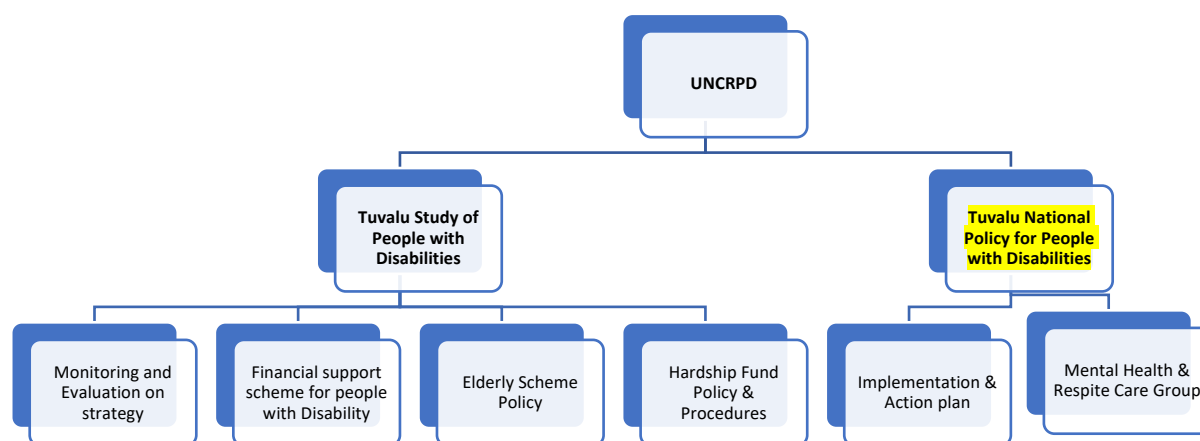


Diagram 1: the prominent working documents that have been endorsed by Tuvalu

Policy Management

Operationally, the Department of Community Affairs within the Ministry for Home Affairs and Rural Development is the Government’s focal point for disability and took the lead in creating the Policy. It is also the coordinating agency in the implementation of the Policy. However, the ongoing support of all stakeholders within and outside Government is essential if tangible progress and results are to be achieved. This partnership approach is only effective if other Ministries, NGOs and civil society, faith-based organisations, community organisations, the *Fusi Alofa* and persons with disabilities play an active role in meeting all of the goals laid out in the Policy. The Policy will be managed, monitored and evaluated by the Tuvalu National Disabilities Coordinating Committee (TNDCC) which is Chaired by the CEO of the Ministry of Home Affairs, as well as by the and the Department of Community Affairs.

Contextualising the Policy within the National Report on Persons with Disabilities

The original Policy was drafted in 2016 and includes as much of the rich detail collected from the many community consultations and meetings. However, the Tuvalu Study on Persons with Disability was conducted later and was launched in 2018. The TNDCC felt it was essential to incorporate the recommendations from this robust Study into the National Policy, primarily as the first recommendation stipulated that ‘the draft policy needs to be revised and streamlined to be achievable’. These key recommendations are laid out below:

Recommendation 1: National Disability Policy: the draft disability policy needs to be revised and streamlined to be achievable. It should then be adopted as a priority matter for all stakeholders to adhere to and follow. The Ministry of Home Affairs is the custodian of the policy and should monitor and coordinate its progress.

Recommendation 2: National policy on hardship: the proposed national policy on hardship being developed by the Ministry of Home Affairs should address Persons With Disability living in hardship as a priority area. A further investigation into Persons With Disability, especially women with disabilities, **living in hardship should be included in the activities** under the policy. The Community Affairs Department of the Ministry of Home Affairs and faith-based organisation s

should endeavor to visit and provide support to the PWD identified in this study as living in hardship, as they are the most vulnerable people in society.

Recommendation 3: Constitutional review: the Constitution of Tuvalu is under review and disability should be included as grounds for discrimination.

Recommendation 4: Laws: the laws of Tuvalu need to be reviewed and aligned to the Convention of the Rights of Persons With Disability (CRPD) as per GOT's obligations under the CRPD.

Recommendation 5: Fusi Alofa Association (FAA): needs the support of all parties as it plays a vital role representing the voice of Persons With Disability. The GOT should continue to provide financial and technical support through:

- The Ministry of Home Affairs as the focal point and coordinating Ministry for disability for the GOT which is also charged with the Disability Benefit Scheme; and for providing a grant for FAA;
- The Department of Education to support education of children with disabilities; and
- The Ministry of Health should enter into a Memorandum of Understanding with FAA to work together on the coordination of provision of assistive devices, medication and rehabilitation.
- FAA also needs to take the following actions
 - Continue to strengthen its advocacy and awareness programs on the rights of Persons with Disability, including conducting training and radio broadcasts, in order to improve negative attitudes towards Persons With Disability. There is a particular need for this in the outer islands.
 - Seek outside assistance to develop sign language teaching and learning in Tuvalu.
 - Seek funds to reactivate its affiliates on the outer islands as they are currently largely inactive.
 - Develop wheel-char repair capability.
 - Provide training in independent living for youth and adults with disabilities.

Recommendation 6: Education: the Department of Education (DOE) can improve educational opportunities for children with disabilities to build an inclusive society for all by doing the following.

- Fully implement the Education Strategic Plan III; finalize Inclusive Education (IE) Framework and implement it.
- Employ teachers trained in inclusive and social education appropriately and consistently.
- Encourage more teachers to training in inclusive education.
- Provide in-service training on inclusive education to existing teachers, including training on identification of children with disabilities.
- Implement the proposal to include human rights education in schools, so that children understand that all people have rights and that teasing, bullying, abuse and discrimination are not acceptable.
- Work closely with FAA to improve the FAA school, which could eventually become a resource center for inclusive education. A trained IE teacher should be appointed to the FAA school by the DOE with appropriate resource allocations.
- Children attending the FAA school should be able to travel on the school bus, with a caregiver if necessary.
- Seek teachers of special and inclusive education from the Fiji Volunteer Teachers Scheme.

Recommendation 7: Health: while it is fully recognized that a small country cannot provide the specialist medical personnel of a large country, there are many opportunities to better use visiting specialist teams. There is urgent need for psychiatric care in particular;

- Every effort should be made to make such specialist care available to Persons with Disability in the outer islands by bringing them to Funafuti for consultations.
- In-service training on disabilities should be provided to health personnel.
- Rehabilitation services should be increased.
- Work with FAA as in Recommendation 5 on a coordinated approach to procuring and distributing assistive devices and other medical services.

Recommendation 8: Caregivers: three-quarter of the caregivers of Persons With Disability are women as this is typically seen as part of their caring or nurturing role. While seeing it as a 'labor of love', many caregivers are worn out by the constant demands of caregiving. While families are the primary caregivers, there needs to be a backstop service for caregivers that could provide support through the following services:

- Provide basic training in the care of Persons With Disability, including correct lifting;
- Facilitate the acquisition of assistive devices;
- Provide respite care when necessary; and
- Provide a link between health providers and caregivers.

Diagram 2: The 8 recommendations from the Tuvalu Study on People with Disability

The 12 Priority Areas of the revised Policy are interconnected to the key recommendations of the Tuvalu Study on Disability. The diagram below shows the interrelationship between the recommendations of the study and the Policy Priority Areas. In some ways the connections are obvious, such as Health, Education and *Fusi Alofa*. In others, there is a more complex and linkage.

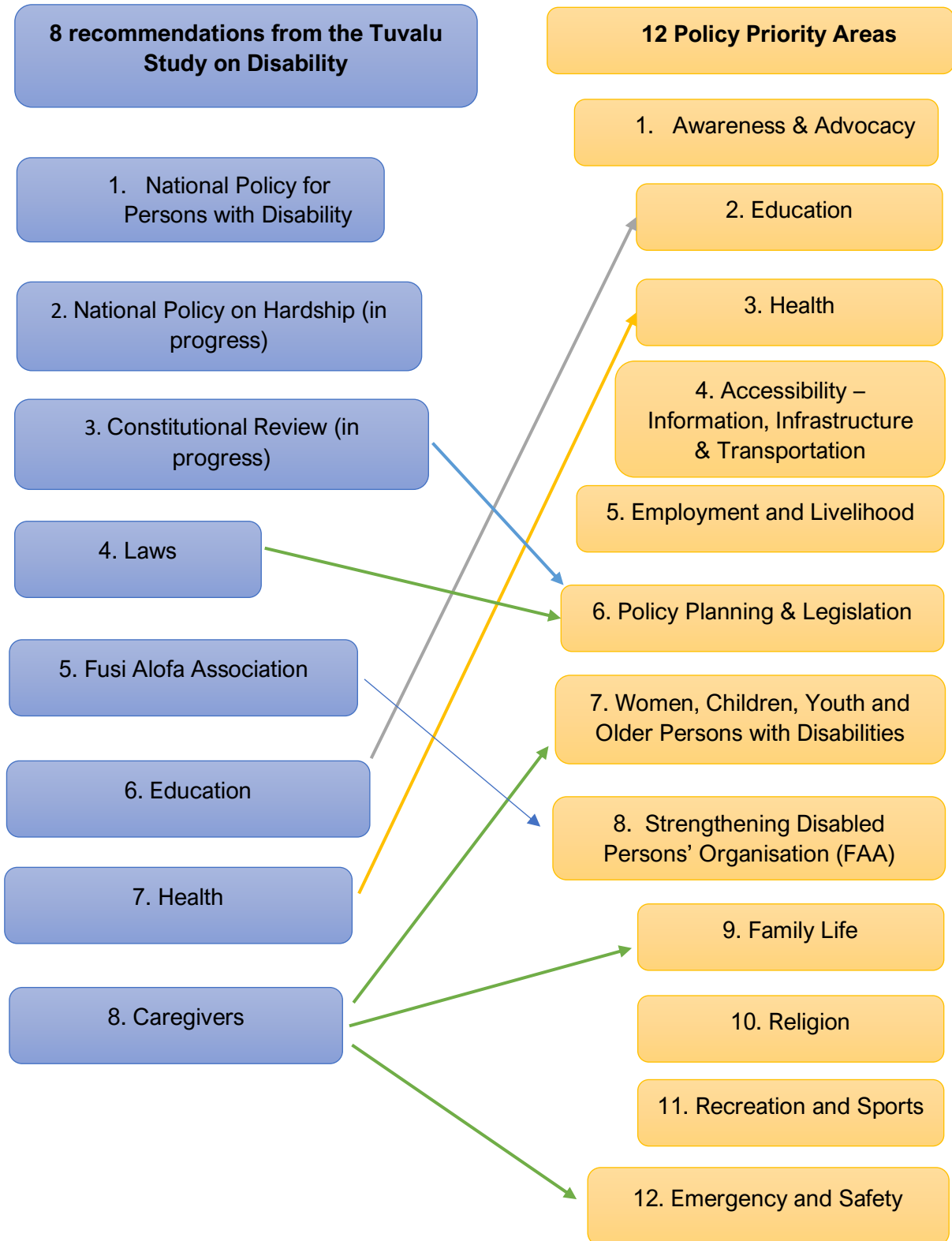


Diagram 3: The interrelationship between the recommendations of the Tuvalu Study on People with Disability (2018) and the Policy Priority Areas

Priority Area 1: Awareness and Advocacy

Persons with disability in Tuvalu are unable to fully and actively participate in everyday life and society due mainly to the unfriendliness of the environment, environmental barriers and negative societal attitudes. This key priority area targets changing people's values and belief systems to a positive system that aims to give rise to positive attitudes and perceptions that will in turn initiate positive actions and attitudes towards people with disability. The Policy is of the view that public perceptions can have deep and meaningful impact on a person's view of themselves as well as on the participation of their families within the community.

It is envisaged that awareness will take place at family and community level to initiate personal *and* public change. It has been observed that persons with disability are neglected by their own families for various reasons such as misunderstanding disabilities in the context of cultural beliefs, feelings of shame by family members and inadequate financial means to support relatives with disabilities. More significantly, persons with disability must be allowed to have their voices heard especially in their own lives but often they do not understand their disability. If they cannot do so themselves, they need advocates. Yet the impact of the presence of persons with disability can assist in changing societal attitudes towards this vulnerable group within the community.

Since disability and gender discrimination is often inter-related, there is need to emphasise gender sensitive approaches and partnerships in ensuring that all persons with disability have their needs met, including women and girls. The aim is to breakdown existing stereotypes in order to bring about improved support and understanding and gender sensitivity among all stakeholders.

Objectives:

- Combat stereotypes, harmful behavior
- Increase people's understanding of the contribution and special skills of persons with disability towards a diverse society
- Strengthen collaboration, networking and partnership with Government, civil society and other key stakeholders
- Identify a disabilities champion who will lead in advocating for and representing the common interest of all persons with disabilities including women and girls.
- Empower and support persons with disability to take a leading role in promoting and advocating for their human rights and improving their daily lives
- Ensure that the needs of women and girls with disabilities are met

Priority Area 2: Education

A commitment to the rights of children and young people living with disabilities and their future as a matter of equity and benefit of all will be required by the joint efforts of all relevant stakeholders, community including families. The Education department aims for inclusiveness, but progress is slow and some children with disabilities still cannot attend school. Indeed, children learn in different ways and it is access to learning that is important whatever the

setting. With flexible school curricula, teaching methods and environments, as well as skilled teachers, their needs can be accommodated. Children with disability who are identified at an early age, will have a much better chance of reaching their full potential and capacity and becoming valued members of their community.

Objectives

- To ensure access to education for all children with disabilities
- To ensure that Government schools have inclusive and appropriate learning materials which will increase access and students with disabilities participation
- To provide mandatory training for teachers working with children and young people with disabilities
- To identify needs of children and young people with disabilities
- To utilise the teachers who have received training in working with children with disabilities

Priority Area 3: Health

Persons with disability are entitled to access the same range, quality and standard of health services as everyone else. In fact, it can be argued most need specialised care in the form of access to early identification and intervention services. This Policy endorses the benefits of quality health care and the required specialised health services must be afforded such as the urgent need for physiotherapists, occupational therapists and speech therapists.

The definition of disabilities used in this Policy includes persons with mental, intellectual or psycho-social disabilities having ease of access community habilitation and re-habilitation services including access to medication that suits the individual, as well as to sexual and reproductive health services. Currently, Tuvalu's fledgling mental health provision is developing to provide immediate and necessary mental health care. The Policy stressed the need for relevant stakeholders to focus resources and priorities equally for mental health as is done with physical health for persons with disability. Significantly the well-being of caregivers, including their mental health is to be addressed as a priority.

Objectives

- To ensure that all persons with disability have equal and easy access to all essential health care services that will improve their health and consequentially quality of life
- To increase medical and/or health services to meet the specific needs of persons with disability
- To support *Fusi Alofa* with provision of adequate resources to provide the necessary quality care for persons with mental disorders
- To make the well-being of caregivers a priority

Priority Area 4 – Information, Infrastructure and Transportation

The Report highlights accessing services as one of the greatest barriers to living independently and participating fully and equally in every aspect of life. Such obstacles warrant exploration and ways of means of minimising them to ensure that all persons with disability can access the physical environment, transportation, facilities and services as any member of the community, allowing them some freedom of access within the community. This includes access to information and communication technologies (ICT). The Policy also acknowledges efforts made thus far but stresses the need to invest in modifying systems, involving all stakeholders, both public and private, making public services and buildings reasonably accessible for persons with disabilities. ‘Reasonable accommodations’ from this perspective includes adjustments in the physical, social and attitudinal environment to take into account the specific needs of persons with disabilities. There is also an urgent need for the draft Building Code to be finalised so that this is used as direction to better accessibility.

Objectives

- To enable persons with disability to live independently and participate in all aspects of life including accessing public services
- To provide more public infrastructure which incorporates universal design principles and is accessible to all persons including persons with disabilities
- To provide accommodation and accessible information and communications for persons with disability to participate in a range of activities and using a range of services (e.g. health, education, employment)
- To finalise the endorsement of the Building Code

Priority Area 5: Employment and Livelihood

Article 27 of the CRPD defines employment as a means to gain a living in a working environment that is open, inclusive and accessible to persons with disabilities. In line with Goal 1 of the *Incheon Strategy*, it is important that Tuvalu takes steps to see greater progress in reducing poverty amongst persons with disability and their families. The Government must protect and promote equal rights for them to work and earn a living and lead in mitigating the significant disadvantages they face so that non-Government organisations and the private sector are encouraged to follow. Consequently, having less economic participation makes persons with disabilities disproportionately poorer than persons without disabilities. Having a decent job and the necessary education, training and support to keep that job is one of the best means of overcoming poverty and living an independent and fulfilling life.

One of the ways to realise an open accessible environment is to take appropriate action to remove practical, environmental and societal barriers to access employment, by providing satisfactory ‘reasonable adjustments’. The Policy calls on Government and relevant stakeholders to commit to providing vocational and basic training to ensure that persons with

disability can access employment which is in line with the current legislation that supports them in the workplace - the Labor and Employment Relation Bill.

Objectives

- To provide equal access to employment in both the public and private sector
- To provide for self-employment opportunities for persons with disabilities
- To provide for and encourage sustainable incomes for persons with disabilities
- To advocate for insurance for Persons with Disability in paid employment

Priority Area 6: Planning and Legislation

Since Tuvalu is a state party to the United Nations Convention on the Rights of Persons with Disability, the Government of Tuvalu in its role as a main duty bearer of the rights of persons with Disability in Tuvalu, is encouraged to make sure that its own domestic laws and practices are consistent with the obligations provided for by the Convention on the Rights of Persons with Disabilities.

Furthermore, the Government is encouraged to conduct legislative review to ensure that all laws are mainstreamed and modified to promote, protect and fulfil the rights of persons with disability. This must be reflected in whole community approaches as everyone's business and must be mainstreamed across all Government Ministries and non-Government organisations. Such an effort will ensure that persons with disability are treated equally, that their rights and needs are addressed, the quality of their lives is improved and the full enjoyment of all activities, services and programs available to all Tuvaluan's. Policy planning and legislative review should also include persons with disability in line with its global motto "*nothing about us, without us.*"

Objectives

- To ensure that the Tuvalu Constitution and laws are aligned to CRPD
- To ensure that the rights of persons with disability are protected through Tuvalu laws and regulations
- To ensure that Government and non-Government organisations' policies and practices reflect the spirit of CRPD

Priority Area 7: Women, Children, Youth and Older Persons with Disabilities

Women, children, youth and older persons with disabilities face multiple forms of discrimination and abuse in their daily lives. Whilst there is a general view that the vulnerable population is well taken care of within their families, there is also recognition that children, youth and older persons with disabilities are vulnerable to abuse and exploitation, often within their own families. The UNCRPD recognises the multiple forms of discrimination faced by women with disabilities.

A commonly held view of the Pacific cultures and Tuvalu is the responsibility of women to look after the family - men, children, youth and their older relatives with or without disabilities. Three-quarters of the caregivers of persons with disability are women as this is typically seen as part of their caring or nurturing role. While seeing it as a 'labour of love', many caregivers are worn out by the constant demands of caregiving. While families insist that primary caregiving remains with them, there needs to be a backstop service for caregivers that could provide support, training, respite care and links to essential services.

There are several prominent guidelines that inform this priority area, especially the gendered aspects of living with disabilities or being a caregiver for a person with disabilities. Some are included in the box on the next page.

Objectives :

- Awareness raising and empowerment of women, older persons, youth and children with disabilities
- Promotion and mainstreaming of equal rights and development concerns of women, older persons, youth and children with disabilities
- Mainstreaming disability and related issues across legislation and Government and plans, policies and procedures
- To provide training, support and care for the well-being of caregivers where necessary
- Facilitate the acquisition of assistive devices
- Provide respite care as required

The Tuvalu Gender Policy 2014-2016: discusses women with disabilities in various key thematic areas but most applicable to this Policy: specific situations of rural women and girls with disabilities, access to employment and the adequate measures to prevent it and protect women and girls from violence.

NHRI Act 2017

The National Human Rights Institution Bill is aimed at providing a relevant mechanism to ensure the full promotion and protection of fundamental freedoms. It will allow PWDs a mechanism to address their issues and concerns, though ease of access to support and advocacy initiatives.

Leadership Code Amendment Bill

The Leadership Code Amendment Bill proposes to include more powers and functions to the Ombudsman Office in relation to the delegation of duties for the national human rights institution. This will be another channel and point of access for Persons with Disability to ensure their entitlements.

Child Protection Bill: This Bill is still being consulted on. It will be the first law in Tuvalu to make comprehensive provision for issues related to the rights, protection and welfare of children in accordance with the principles and provisions of the UN Convention on the Rights of the Child (CRC). It not only promotes the welfare of all children in Tuvalu, but it guarantees that the laws of Tuvalu will be applied in the best interests of children.

The proposed Bill will embrace Tuvaluan customs, traditions and community values to enhance the protection and welfare of children. It will focus on the role of parents, carers and family, ensuring compliance in preventing harm and promoting child welfare.

Family Protection and Domestic Violence Act (2014): specifically the Act stipulates that women living with disabilities should be afforded the same protection as any other women and or victims of violence. It calls on the relevant authorities to provide urgent and timely assistance to women living with disabilities who are victims of violence, in line with the requirements provided for in the UNCRPD.

Tuvalu National Youth Policy 2015 - 2019

The *Tuvalu National Youth Policy 2015 - 2019* prioritises youth with disabilities. It notes: "although the number of youths with disabilities in Tuvalu is fairly low, it is important that some support be provided to accommodate their needs. Additionally, it is intended that they will be given opportunities to actively participate in as many, as physically possible, of the activities and projects to be implemented under the policy."

Older Persons: refers to those age 60 years and above. Most are no longer earning a fixed income. Traditionally, the elderly is protected and safeguarded by the Tuvaluan family network. However, changes such as urban drift, climate change, disease, and poverty can make the older population very vulnerable. As the working age population migrates to Funafuti for work, the elderly population is often left behind in the outer islands. Person's with Disability within this group are highly vulnerable.

Diagram 4: Guidelines that inform this priority area, especially the gendered aspects of living with disabilities or being a caregiver for a person with disabilities

Priority Area 8: Strengthening Organisations for Persons with Disabilities

National Disability Organisations play an important role in the promotion and protection of the rights of persons with disabilities as well as being places of learning and socializing for people with disability. *Fusi Alofa* has a vision to ensure the equality, respect and full participation for persons with disability in Tuvalu through playing a leading role in awareness and advocacy, targeting a receptive and inclusive environment. The *Fusi Alofa* principle is underscored in that ‘the life and the laws of Tuvalu is based on respect for human dignity, and on the acceptance of Tuvaluan values and culture, and on respect for them’. Based on this, persons with disabilities aspire to claiming their entitlement to full participation on all levels in of society, knowing that the ability to make constructive contributions towards the development of communities and country as a whole depends largely on the following values:

- (a) *acceptance by society (non-discrimination);*
- (b) *equal access to formal and non-formal education;*
- (c) *equal access to health care;*
- (d) *participation in decision making at the local and national levels.*

Having completed a thorough assessment and analysis of the challenges and achievements of the *Fusi Alofa* Association Tuvalu Strategic Plan 2013-2015, agreement was reached that the five main objectives in the outgoing strategic plan remains with one new inclusion. The following are key objectives of the six (6) thematic areas derived from the consultations:

- a) *to promote and advocate the rights of persons with disability as stipulated in the CRPD even more so, the domestication of that Convention;*
- b) *to advocate for full participation in the national planning and decision-making processes in all climate change related issues, and for an inclusive national disaster preparedness plan as well as the individual island disaster preparedness plans;*
- c) *to strengthen and develop the capacity of ALL Fusi Alofa members including women and youth with disabilities to be sustainable and self- reliant;*
- d) *to strengthen disability inclusive development (DID) partnership with Government, CSOs, development partners and donor agencies;*
- e) *to provide pre-education services for children with disabilities in Tuvalu;*
- f) *to strengthen the governance and operation of Fusi Alofa.*

Objectives

Fusi Alofa to

- be empowered to be a robust representative organisation that represents the voices of all persons with disability in Tuvalu at the policy level and on the ground
- act as a registry and depository for persons with disability
- be the leading disability advocacy in Tuvalu
- lead on care, rights and responsibilities of the caregivers of its members
- provide links between members and their caregivers and essential services
- procure and facilitate basic training in the care of persons with disability, including correct lifting and handling
- support members in the acquisition of assistive devices
- provide a link between health providers and caregivers

Priority Area 9: Family Life

Living life of human dignity is essential for persons with disabilities. This involves the right to a family without barriers and hindrances. Through consultative discussions and information sharing, persons with disability in Tuvalu are encouraged and empowered to seek healthy meaningful relationships, get married, start a family, and have children. To date, three persons with disability have since been legally married as per the marriage laws of Tuvalu and have families. From consultations there were significant areas of ‘the right to family life’ that were still unmet in many persons with disability lives. Family caregiving is at the core of what sustains persons with disabilities, and the caregiver is the key to enjoying a healthy and productive family life. The Policy emphasises the importance of ‘looking after the caregiver’ as the key to ensuring that each person with disability thrives.

Objectives

- To encourage and support persons with disability to enjoy family life that is consistent with Tuvaluan values, customs and traditions, including:
 - Seeking and maintaining healthy relationships,
 - Marriage and parenthood,
 - Sexual and reproductive health;
- To ensure that parents with disability are given the support they need to care for their children.
- To ensure that persons with disabilities have access to guidance on their sexual and reproductive health.
- To provide the essential financial support for persons with disability and their families to enjoy an adequate standard of living;
- For persons with disability to have access to quality and affordable housing;
- Through awareness and advocacy programs address issues of stigma and discrimination against persons with disability and their families
- To support and promote caregivers through:
 - Providing basic training in the care of persons with disability, including correct lifting
 - Facilitating the acquisition of assistive devices
 - Providing respite care when necessary;
 - Providing links between essential service providers and caregivers.

Priority Area 10: Religion

The Policy recognises that people with physical disabilities are better accepted in social settings than those with ‘unseen’ or learning, cognitive or mental illnesses. Indeed, Tuvalu has little provision in their faith-based organisations and venues for those with hearing and vision impairments which create barriers between them and their faith. It is believed that many houses of worship mistakenly assume that becoming more accessible will be a financial drain. In fact, even when houses of worship make reasonable accommodation, congregations often believe that once they raise the funds and address the structural barriers their duties to persons with disability is complete. The Policy notes that becoming an accessible church or

religious institution means much more than simply installing an entrance ramp. It involves including persons with disability in all services and activities through design choices, so they can access the platform, sound systems, bibles, hymn and prayer books and bulletins in alternative formats including large print, Braille and electronic. The Policy promotes friendship as critical in inclusiveness. *Further, a welcoming church and or religious institution offers empowerment, not pity; advocacy not avoidance; and support not stigma.*

Objectives

- To provide opportunities for people with disabilities to nurture and strengthen their spiritual lives
- To provide access at all places of worships
- To provide opportunities for the creation of a disability-free religious community
- To create a welcoming and inclusive atmosphere
- To provide programmatic, auditory and visual access at places of worship
- To help caregivers through any possible means to access a means of worship appropriate for them and their relatives

Policy Area 11: Recreation and Sports

The holistic benefits of sports are invaluable for everyone but more so for persons with disability. Sports is also an effective vehicle for building an inclusive culture. Promoting the participation of persons with disability in recreational, leisure and sporting activities is challenging especially access to venues and services. This Policy embraces the Government's commitment under its *Te Kakeega III* goals to increase opportunities for athletes with disability to participate in sports and to represent Tuvalu in regional and international games.

Objectives

- Improved access to sporting activities, facilities and equipment, both competitive and recreational.
- Government to facilitate, organise and support an annual national sporting event for persons with disability in partnership with relevant stakeholders.
- Full and active participation in national, regional and international sporting events.

Priority Area 12: Emergency and Safety

Persons with disabilities face higher risks as compared to the general population and are known to be disproportionately affected by disasters. Women and girls with disabilities are at higher risk in situations of emergency where there is a deterioration in safety and protection. Women and girls find themselves in situations of greater vulnerability. Clearly persons with disabilities need high levels safeguarding and protections services that meet their needs, starting at the planning stages of risk management and arrangements .

Tuvalu was used in the Pilot Program for a research project on building a Climate Resilience Pacific Region Project in the Climate Change and Disaster Risk Mainstreaming Component. In

taking every precaution to ensure a high level of safety and well-being of Persons with Disability in a disaster, this Policy is informed by endorsed guidelines:

- *Te Kakeega III*
- Tuvalu National Strategic Action Plan for Climate Change and Disaster Risk Management
- Tuvalu National Disaster Risk Management Arrangements (NDRMA)
- Tropical Cyclone PAM Recovery Report

The Tuvalu National Disaster Risk Management Arrangements (NDRMA) recognizes inclusiveness in its disaster risk management the need to contextualise relief planning while ensuring balanced representation within the DRM committee. The concept of inclusiveness under NDRMA ensures gender equality promoted by assessing particular needs and vulnerabilities and to prevent discrimination of any kind such as race, color, sex, ethnicity, age, language, religion, political or other opinion, national or social origin, disability, property, birth or other status. This Policy acknowledges the outcome of the TC PAM Recovery Report where one of the strategic objectives and priority actions were to ensure households were appropriately supported to recover after the TC Pam crisis and special consideration was given to the nutritional status of the most vulnerable population including persons with disabilities, and children which were concluded to have been significantly improved.

This Policy acknowledges the above strategic and action plans for disaster preparedness, response and recover component covers the need of the most vulnerable groups including persons with disability where they are given priority in emergency preparedness and response and planning and implementation.

Objectives

- To ensure the Disaster Strategic Action Plan for Climate Change and Disaster Risk Management (NSAP) is inclusive of all, especially persons with disability
- To align all community disaster plans and all school evacuation plans with the Disaster Strategic Action Plan for Climate Change and Disaster Risk Management (NSAP) to include persons with disability
- To ensure that safeguarding and protection measures are in place for women and girls
- To facilitate awareness and advocacy programs on issues relating to climate change, emergency, safety and security to be inclusive