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## **National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21\***

### **Kiribati**


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## **Introduction**

1. The Government of Kiribati submitted its first national Universal Periodic Review (UPR) report to the Human Rights Council on 22 February 2010 and it was adopted in the same year. Kiribati received eighty three recommendations, of which forty two were accepted (see Annexure 1). Since the last review, Kiribati has been working on implementing these recommendations and commitments through all stakeholders including government agencies, official institutions and civil society organizations. Of importance to note is that Kiribati continues to face challenges in its implementation of the recommendations as well as meeting various human rights commitments.

2. The Ministry of Women, Youth and Social Affairs (MWYSA) appointed a Kiribati National Human Rights Taskforce (KNHRT) to coordinate, monitor, evaluate and write reports regarding various human rights conventions<sup>1</sup>. The Taskforce is comprised of government officials, NGOs and Donors and has been endorsed by Government to complete the second UPR national report.

### **I. Methodology and process for preparing the report**

#### **A. Methodology for preparing the report**

3. A workshop coordinated by PIFS, SPC RRRT, OHCHR, and UN Women with MWYSA as their counterpart, was conducted to prepare the 2<sup>nd</sup> UPR Report. A matrix (see Annexure 2) was formulated based on the recommendations received by Kiribati to collect data and responses from stakeholders. Meetings were held with the KNHRT to complete the matrix which informs the contents of this report.

#### **B. Process for preparing the report**

4. The matrix was sent to all members for updates from their respective departments and MWYSA were tasked to collate the data. The information was compiled into a draft report and the KNHRT verified and reviewed the report. Government's endorsement was then sought before submission of the report.

### **II. Developments since the previous review, for the promotion and protection of human rights: Constitution, legislation, national policy measures, human rights, infrastructure including national human rights institution and scope of international obligations identified in the 'basis of review' in resolution 5/1**

#### **A. Legislation: National Laws**

5. The Government of Kiribati has made significant progress in meeting its obligations through incorporating human rights principles into national legislation. Listed below are some of the legislation supporting and protecting human rights passed by the Parliament of Kiribati since the first review:

- Children, Young Persons and Family Welfare Act 2013;

- Education Act 2013;
  - Amendment of the Constitution to establish the Ministry of Women, Youth and Social Affairs (MWYSA);
  - Te Rau n te Mweenga Act<sup>2</sup>.
6. Details of these legislative changes are provided in Part IV – Recommendation 10.

## **B. National measures and policies**

### **Women: Eliminating Sexual and Gender Based Violence (ESGBV) Policy (2011–2021)**

7. The Government formulated the *National Approach to Eliminating Sexual and Gender Based Violence (ESGBV) in Kiribati: Policy and Action Plan 2011-2021*, a milestone first taken to help the nation respond to a serious and widespread problem — gender based violence. The MWYSA through the Women’s Development Division (WDD) has worked extensively to implement the national ESGBV policy by undertaking appropriate consultations, awareness and training with local communities, NGOs and government bodies to enhance the development and equality of women in all spheres of their lives. The government recognizes that gender based violence affects the entire population and to effectively address this issue, it requires an integrated and coordinated whole-of-government approach that engages communities, clearly specifies responsibilities and accountabilities and encourages and directs actions from the village through island to the national level. To give effect to the Policy, a four year Shared Implementation Plan (SHIP) and a GoK-United Nations Implementation Joint Programme are currently being finalised. The SHIP outcomes include i) leadership and coordination ii) access to justice iii) capacity building iv) access to quality support services and advocacy v) prevention and advocacy.

### **Children: The Children, Young People and Family Welfare Policy (CYPFW)**

8. To ensure that the best interests of children and families are fulfilled and to define its own role in the protection of children and families, the Government of Kiribati through the MWYSA formulated the CYPFW policy document. The policy aims to protect children against abuse, violence, neglect and exploitation. It is designed to be consistent with international human rights commitments and other relevant national plans and social initiatives. The policy seeks to build a stronger relationship between Government bodies, communities and families, strengthening existing care practices while providing services where necessary. The policy recognises the important role of traditional practices including parents’ and caregivers’ roles in the welfare system and therefore intends to build upon it.

### **Inclusive education**

9. The Ministry of Education is currently drafting a policy on inclusive education. Significant to this policy is the, 1) provision of a flexible curriculum which caters for student’s varied and changing needs in all schools; 2) training of teachers to deliver educational programs and strategies for inclusive education; 3) compulsory education for all school aged children (at Primary and Junior Secondary) including children with special needs; 4) recognition of parents’/caregivers’ role in all stages of their child’s education.

### **Disability: The Draft Kiribati National Disability Policy**

10. The Government of Kiribati ratified the Convention on the Rights of Persons with Disabilities (CRPD) in 2013 and is currently drafting a national disability policy. The policy will provide a framework to guide all stakeholders and all communities to improve the lives of persons with disabilities, dismantle the barriers in society and raise awareness

about disability rights and needs. Significant principles applied in this policy include: 1) respect for inherent dignity, individual autonomy including the freedom to make one's own choices, and independence of persons; 2) equality of opportunity; 3) accessibility; 4) full and effective participation and inclusion in society; 5) non-discrimination equality between men and women; 7) respect for the cultural values of Kiribati; 9) respect for difference and acceptance of persons with disabilities as part of human diversity and humanity; 10) respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities.

**Health: Kiribati Health Strategic Plan (2012–2015)**

11. The Strategic Plan sets the overall framework for action on health. It identifies what the Ministry expects to achieve, along with strategic actions and indicative activities for implementation. It includes indicators and targets as a basis for monitoring progress towards the strategic objectives. It also signals the need for strong multi-sector coordination in order to effectively implement the strategic plan. The plan has been informed by a Health Needs Assessment, which examined the health needs of the Kiribati population and the ability of the health system to respond to these needs.

**Environment: Kiribati Integrated Environment Policy (2012–2015)**

12. The Kiribati Integrated Environment Policy (KIEP) was approved by Government in 2012 and publicly launched in 2013. The Policy identifies national environment priorities under 5 thematic areas – climate change, biodiversity, waste management and pollution control, resource management and environmental governance. The KIEP seeks to inform the government and donors on the environment priorities that need to be addressed at the national level. The policy aims to achieve the protection and management of the environment and promotes environmental resilience against the impacts of climate change through achieving the objectives of each thematic area.

**Climate Change and Disaster Risk Management: Kiribati Joint Implementation Plan**

13. The Kiribati Joint Implementation Plan specifically on Climate Change and Disaster Risk Management (KJIP) is designed to complement the National Disaster Risk Management Plan and the National Framework for Climate Change and Climate Change Adaptation. By identifying tangible, on-the-ground actions for resilience and actions that enable the Government to facilitate these, the plan will guide the implementation of these policies in an integrated approach. The main rationale for this approach is that a systematic and integrated plan, identifying tangible actions, will maximize the efficiency and effectiveness of existing capacities and resources as well as ensuring new initiatives are well targeted and have maximum impact. In the context of Human Rights, the KJIP respects and promotes human rights by ensuring that all Kiribati have increased access to food security; safe water security and land security within the current and future threats of climate change and disasters such as droughts.

**C. Official authorities and government organizations concerned with human rights**

14. Human Rights are being mainstreamed into the government ministries and departments administering and implementing national laws that address human rights<sup>3</sup>, and all are bound by the Constitution which is the supreme law in Kiribati.

### **III. Promotion and protection of human rights on the ground: implementation of international human rights obligations identified in the ‘basis of review’, national legislation and voluntary commitments, national human rights institutions activities, public awareness of human rights, cooperation with human rights mechanisms**

15. The MWYSA through its Women’s Development Division and Social Welfare Division conducts awareness and consultations on Human Rights Conventions in collaboration with regional and international organizations<sup>4</sup>. During the period of 2013-2014, Human Rights trainings on CEDAW and ESGBV and consultations on the new Ministry and Family Peace Bill were conducted in 20 of the 22 inhabited islands of Kiribati. Awareness on the Children, Young People and Family Welfare (CYPFW) legislation and policy has been conducted in nine islands including the capital, Tarawa, where over 50% of the population resides. During the CYPFW legislation and policy consultations, community members were trained to become Child Protection Advocates. With CRPD, a workshop had been held with all mayors in Kiribati while the Disability Persons Organization (NGO) carried out its awareness programs in some islands in Kiribati.

### **IV. Action taken regarding recommendations arising from the first UPR round**

#### **A. Human rights and other international conventions**

##### **Recommendation 1**

16. The Government of Kiribati established in July 2014 the Kiribati National Human Rights Taskforce (KNHRT) with a mandate to oversee all ratified Human Rights Conventions. The KNHRT provides advice to the Government on Kiribati Human Rights commitments. This is an overarching committee composed of core members (CRC, CEDAW, CRPD and Administrative Officers) from the MWYSA plus representatives from relevant Government Ministries/Departments, civil societies and development partners (see Annexure 3). Its primary role is to coordinate, monitor, evaluate and prepare reports.

17. Amendments to the roles and scope can be made to the Taskforce but these are subject to Government’s approval.

##### **Recommendation 2, 3, 4, 5, 6, 7, 8, 9**

18. Although Kiribati did not initially accept recommendations 3-9 in 2010, it ratified the Convention on the Rights of Persons with Disabilities (CRPD) in 2013. This was because Kiribati sees the value of respecting and promoting the rights of people with disabilities as recognized around the Pacific region and at the global level and hence decided to ratify the CRPD.

19. Kiribati is in the process of acceding to the first and second Optional Protocols to the CRC. The Government of Kiribati has deposited its instruments of ratification with the UN in New York and is currently awaiting the response to update its status.

20. Kiribati is yet to consider the ratification of other core Human Rights Conventions (that Kiribati is not yet a party to). The Government of Kiribati is analyzing these relevant HR instruments and assessing Government’s capacity to implement the provisions of these

treaties. The outcomes of these analyses and assessments will be tabled with Government for endorsement.

## **B. Legislative and policy reform**

### **Recommendation 10**

21. Kiribati ratified the CRC in 1995, CEDAW in 2004 and CRPD in 2013. Since these ratifications, progress has been made at the national level on domesticating the treaties into national laws.

22. *The Children, Young Persons and Family Welfare Act* was approved in 2013, with its main objective to support the development, protection and wellbeing of children and young people. The Act recognises the important role of parents, families and communities in supporting children and young people and also identifies the importance of traditional practices which can assist and promote their wellbeing and development. The Act also provides for the care and protection of children and young people in circumstances where parents, families and communities are unable to do so.

23. *Te Rau n te Mweenga Act 2014* for the first time in Kiribati criminalizes “domestic violence”. It looks at the safety and protection of all persons including children who experience or witness domestic violence, support and redress for all victims of domestic violence, enforcement of court orders issued in order to stop acts of domestic violence and also looks at the implementation of programs for victims of domestic violence to ensure their recovery to lead a safe and healthy life. Additionally, the Act also provides for the enactment of provisions that are consistent with the principles underlying the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the CRC.

24. *The Education Act* was enacted in 2013 with objectives to provide for a quality education system in Kiribati for every student that will i) help maximize the student’s educational potential; ii) enable the student to become an effective and informed member of the community and iii) promote compulsory education. The principles of Inclusive Education were also provisioned for in the Act.

25. Consideration is presently being given to the youth justice legislation to deal with juveniles in conflict with the law.

### **Recommendation 11**

26. Amendment of the *Kiribati Providence Fund (KPF) Act* allowing for spouses as one of the beneficiaries of the deceased estate has been approved by Parliament.

27. The Final Draft of the building code has included a specific clause on the provision for access for people with disabilities by means of accessible paths and/or ramps in public buildings. A working group (Policy and Legislation Working Group) was set up within the MPWU to review and expedite the approval process of this code. Another new division in MPWU (Quality Control Unit) was established in 2012 to look after building permit approvals, with one of its tasks to ensure building proposals (especially for the general public) comply with the drafted code.

28. The amendment of the Constitution to create a new Ministry for Women, Youth and Social Affairs. The MWYSA was established in October 2013 with its mandate to deal with women, social welfare (child protection, people with disabilities, welfare and counseling, student support, elderly), youth issues, civil registration, NGOs and sport.

29. The process of harmonizing laws and policies is ongoing and since the Government of Kiribati has limited resources, Kiribati needs more financial resources/international assistance to carry out further reviews of relevant laws and policies.

### **Recommendation 12**

30. See recommendation 10 regarding *Te Rau n te Mweenga Act*. An implementation plan is currently being drafted regarding activities and training to ensure the effective working of this Act.

31. The ESGBV Policy and Action plan have enabled the successful introduction of *Te Rau n te Mweenga Act* and this achievement contributes to Kiribati's ongoing moves towards compliance with CEDAW. One of the recent outcomes from the National Action Plan is the establishment of the Male Advocates Program.

32. A final draft Gender Equality and Women's Development Policy is awaiting Government's approval with a focus on increasing women in leadership, gender mainstreaming, women's economic empowerment, stronger informed families, and domestic violence.

33. Programs and activities to promote women in politics and in decision making have been carried out in country. This has been done through a Mock/Practice Parliament for Women which women representatives from outer islands participated in. This was the first of its kind to be conducted in the Pacific region. Kiribati has also conducted the Gender and Local Government national program to increase women's participation in local councils. In this program, women were trained on the procedures to enter the local councils. Additionally, Gender and Political Empowerment workshops have also been conducted. This is voter education where the Women's Development Division worked with local councils in carrying out awareness on basic schedules on voting, venues, to name a few. Additionally, training women on CEDAW carried out in country contributes to the promotion of gender inequality and ensuring equal participation for women.

34. In government, the number of women participating in political life and in decision making positions has increased. There are currently four female Members of Parliament of which three are Ministers, with one Minister also holding the role of Vice President. All three Heads of Diplomatic Missions/Embassies for Kiribati are females. For the past 10 years, 3 females have held the position of Head of the Public Service. Currently, there are 6 female secretaries against 9 male secretaries in the government.

35. There is an increased intake of police women including increased senior female officers in the Kiribati Police and Prison Services (KPPS). Police women only make up 6% of the total KPPS workforce at the close of 2012; however, the record shows a 21% increase in female employees since 2010. The KPPS places a high focus on engagement of women in the recruitment and promotion process.

36. The Ministry of Public Works and Utilities recruited a female in the construction field in 1997 and the number of women has now increased to almost 10.

### **Recommendation 13**

37. Kiribati withdrew its reservations to CRC in 2014 and is currently in the process of acceding to the first and second Optional Protocols to the CRC.

38. Incorporating the instrument into national legislation has been carried out through the establishment of the *Children, Young Persons and Family Welfare Act*.

#### **Recommendation 14**

39. See Recommendation 10 for details of the *Children, Young Persons and Family Welfare Act* to meet Kiribati's obligations under the CRC and details of *Te Rau n te Mweenga Act* to meet Kiribati's obligations under the CEDAW. It is important to note that for case management, the domestic violence and violence against women and children cases are priority. Additionally, there are plans to establish a distant witness facility in 2015 for children and women victims and witnesses.

#### **Recommendation 15**

40. To complement the enforcement of laws and policies in place, a new Ministry (MWYSA) was established to deal with women, children and social issues and to meet the annual budget required to address the aforementioned issues reflected under the Ministry's portfolio. Additionally, through the Ministry's responsible divisions, awareness raising and training programs were carried out that include: 1) training of Human Rights Advocates and Child Protection Advocates; 2) awareness raising on both CEDAW and CRC; 3) implementation of ESGBV programs with key line ministries; 4) providing legal training to police officers and the social welfare assistant officers.

#### **Recommendation 16**

41. The Constitution is the supreme law in Kiribati. The Constitution contains a combination of enforceable rights and general principles. Chapter II of the Constitution provides or guarantees protection of certain fundamental rights and freedoms and provides the legal framework for the establishment of public offices, the judiciary, citizenship, suffrage and finance. The Constitution recognizes that every person in Kiribati is entitled to the fundamental rights and freedoms of the individual without discrimination on the grounds of race, place of origin, political opinion, color, creed or sex, but subject to respect for the rights of others, the public interest and any limitation on the protection as are contained in the provision guaranteeing the right. Amongst the rights protected are the right to life and liberty, freedom of conscience, expression, association, movement and protection of the law.

42. See Recommendation 10 for the *Children, Young Persons and Family Welfare Act* which provides legal protection of the children and young people.

43. See recommendation 10 for *Te Rau n te Mweenga Act 2014* which protects all persons including children from domestic violence and also ensures their recovery to lead a safe and healthy life.

44. The establishment of the *Education Act 2013* protecting the right to education for children. The Act also provides for the principles of inclusive education.

45. The amendment of the *Environment Act 1999* in 2007 protecting the health and comfort of the people from environment issue provisioned for under the Act, in particular, pollution and development activities.

#### **Recommendation 17 and 18**

46. While an enlarged definition of rape is being considered, *Te Rau n te Mweenga Act 2014* recognized that domestic violence in all its forms including sexual violence, is an unacceptable behavior and is a crime; and that on the basis of statistics at the national level, domestic violence is a crime almost always perpetrated by men against women and children. Further, the 2004 amendment to the Evidence Act 2003 has removed the corroboration requirement in sexual offences cases albeit rape.



**Recommendation 19**

47. The enactment of the Children, Young People and Family Welfare Act (recommendation 10).

48. A Juvenile Justice Project is currently being implemented with one of its core tasks to develop an appropriate bill to deal with juveniles when in conflict with the law. Wide consultations on drafting an appropriate law are progressing.

**Recommendation 20, 63, 65**

49. No amendments made for violence against children in the *Penal Code Cap 67*. However, the *Children, Young People and the Family Welfare Act* is in place to protect the children. *Te Rau n te Mweenga Act* provides for protection from domestic violence against children in all its forms. The Act also provides for the support and redress for all victims and implementation of programs for victims of domestic violence victims to ensure their recovery to lead a safe and healthy life. Harmonizing *Te Rau n te Mweenga Act* and the *Penal Code Cap 67*, particularly on the fines, will be made.

50. See recommendation 19 regarding Juvenile Justice Project for details.

51. The development of the Standard Operating Procedure (SOP) for handling young persons as victims, perpetrators and witnesses which all relevant bodies use such as the MWYSA, KPPS, and Ministry of Health and Medical Services (MHMS).

52. Ongoing awareness and consultations on Human Rights conducted by the MWYSA, the KPPS and partners. Additionally, training for Human Rights Advocates and Child Protection Advocates, enforcement officers and Social Welfare staff contributed to raising the profile of human rights including the rights of children.

53. Coordinated victim support and protection between the MWYSA, KPPS, Crisis Centre and the MHMS.

**Recommendation 21**

54. See Recommendation 10 regarding the Children, Young People and Family Welfare Act.

55. The Communications Act 2013 deals with child pornography. The Act provides that every person who knowingly a) produces child pornography for the purpose of its distribution through a computer; b) offers or makes available child pornography through a computer; c) distributes or transmits child pornography through a computer; d) produces child pornography through a computer for oneself or for another person; or e) possesses child pornography in a computer or on a computer-data storage medium, commits an offence<sup>5</sup>.

56. The Education Act prohibits corporal punishment in all schools.

**Recommendation 22**

57. No review on the freedom of expression as it is sufficiently provided for in law in Kiribati.

**Recommendation 23**

58. There has not been any prosecution of same sex offenders although 'buggery' is an offence prohibited by the *Penal Code Cap 67*<sup>6</sup>.

## C. Human rights institutions

### Recommendation 24, 25, 26, 27, 28, 29

59. Kiribati has achieved these recommendations by establishing the Kiribati National Human Rights Taskforce (KNHRT). The Government endorsed the establishment of the KNHRT, secretariat based in MWYSA, with a mandate to coordinate, monitor, evaluate and report on all Human Rights activities at the national level. A Human Rights Unit is in the process of establishment, to be based in MWYSA.

## D. Rights awareness

### Recommendation 30

60. The recent creation of a new Ministry (MWYSA) is centralizing human rights conventions under its mandate and raising the profile of women, promoting gender equality, children's rights and the rights of people with disabilities.

61. Observing White Ribbon Day for the Elimination of Violence against Women and declaring public holidays for Human Rights, Health, Women, Youth, Gospel, Education and Elderly are contributing to raising the profile of human rights at the national level. Awareness raising activities were carried out during these important days.

62. Human Rights training for MWYSA staff, Human Rights Advocates and Male Advocates has been carried out. There are plans to hold further Human Rights training for the KNHRT and other stakeholders in Kiribati.

### Recommendation 31

63. At the national level, public awareness campaigns are currently being carried out through the media, road shows, talk shows and the legal training in all islands in Kiribati. It is vital to note that awareness has been carried out since 2004 by the KPPS, and is ongoing.

64. The ESGBV project is currently working with the Ministry of Education to include ESGBV in the schools' curriculum, for example, healthy living to address family relationships and violence, to name a few.

65. The KPPS training curriculum has now included Human Rights and implementing the legislation on domestic violence.

66. Training for lay magistrates on CRC, human rights and most relevant national laws such as *Te Rau n te Mweenga Act* and the *Children, Young People and Family Welfare Act* has been carried out.

67. The MHMS has a GBV working committee which coordinates and develops ESGBV programs and also provides community awareness on the role of health in GBV and training to health workers on how to address and receive cases involved with abuse. A separate medical form is used for physical abuse cases for adults and children.

## E. National Development Plan

### Recommendation 32

68. The current Kiribati Development Plan 2012-2015 is founded on two key principles of social protection/gender equity and results-based management. The Plan defines social protection/gender equity as gender empowerment with an emphasis on family, children, women's and men's rights. As such, to meet its commitment under the Kiribati

Development Plan, the Government has supported development of the following to support and advance human rights:

- The endorsement and enactment of the Children, Young Persons and Family Welfare Policy and the *Children, Young Persons and Family Welfare Act* in 2013;
- Endorsing the ESGBV Policy in 2011;
- Endorsing *Te Rau n te Mweenga Act* to criminalize domestic violence;
- Consideration for the school for disabled persons (NGO run school) to be formally registered in 2014. This will allow the disabled school to be included in the government's budget commitment;
- Development of the Draft National Disability Policy which looks long term towards an inclusive and barrier-free society, where persons with disabilities are empowered and seen, where they have equal opportunities, meaningful participation and full enjoyment of their human rights;
- Development of the Draft Inclusive Education Policy giving effect to all school aged children and young persons' right to education;
- Development of the Draft Gender Equality and Women's Development (GEWD) Policy as per recommendation 12.

#### **Recommendation 33**

69. The system to obtain government financial support is through formal registration. There is only one disability school in Kiribati which is currently listed as an NGO. Support has been given to this disability school in order for it to meet the requirements for formal registration.

70. Providing short and long term training at the Kiribati Teacher's College (KTC) to teachers for students with disabilities to meet the teaching standard required by the Government for schools and to qualify the teachers for students with disabilities to be paid from government. The Government provided free entry to train teachers for students with disabilities into the KTC.

## **F. Child Labour Policy**

#### **Recommendation 34**

71. The Government of Kiribati is currently working on developing the Child Labour Policy<sup>7</sup> and the *Children, Young People and Family Welfare Act 2013* protects children from child labour exploitation.

## **G. Human rights special procedures**

#### **Recommendation 35, 36, 37**

72. Kiribati welcomes the recommendations and wishes to register its keen interest to extend an open invitation to the Special Procedures. This demonstrates our commitments to the protection and promotion of human rights nationally, regionally and globally.

## H. Gender and inequality

### Recommendation 38, 39, 40, 41, 42, 43, 44, 45

73. The Constitution recognizes that every person in Kiribati is entitled to the fundamental rights and freedoms of the individual without discrimination on the grounds of race, place of origin, political opinion, color, creed or sex, but subject to respect for the rights of others, the public interest and any limitation on the protection as are contained in the provision guaranteeing the right. Absent in the freedom from discrimination provision is any protection from discrimination on the grounds of sex and gender based on the definition of discrimination provided for in section 15 of the Constitution. Efforts have been made to amend the Constitution a few times but failed as it did not attain the 2/3 majority required by law.

74. See recommendation 11 regarding the Amendment of the *Kiribati Providence Fund (KPF) Act*.

75. See recommendation 10 regarding *Te Rau n te Mweenga Act*.

### Recommendation 46

76. Kiribati ratified the C111 – Discrimination (Employment and Occupation) Convention and C100 – Equal Remuneration Convention. The principles of these conventions were applied in the amendment of 2008 to the *Employment Ordinance* which i) prohibits discrimination on grounds of race, color, sex, religion, political opinion, disability, social origin, to name a few and ii) Section 75D in the ordinance makes provision for equal remuneration for men and women for work of equal value.

77. See recommendation 12 regarding the final draft of the National Gender Equality and Women's Development policy.

78. The Ministry of Labour and Human Resources Development is also developing a Gender Access and Equity Policy to advance gender equality and the empowerment of women through improved access and successful completion of training programs, decent employment and inclusive decision-making processes. The Policy is based upon 3 key themes: Access; Equality, and Leadership and Capacity Building.

79. Recruitment of females in posts which have always traditionally been occupied before by males in Kiribati indicates the improvement of gender balance in the workforce. For example, police women joining the UN Peace/Security Team and the Regional Assistance Mission to Solomon Islands (RAMSI) program. The number of females appointed as Magistrates has now increased to 30 when 10 years ago there were no female magistrates.

### Recommendation 47, 48, 49, 50

80. See recommendation 12 and 46 respectively for the draft National Gender Equality and Women's Development Policy and the draft Gender Access and Equity Policy and its Implementation Plan is a step to address gender inequality and empowerment for women through improved access and successful completion of training programs, decent employment and inclusive decision-making processes.

81. There is no additional legislation to address this issue except for the newly endorsed *Te Rau n te Mweenga Act*.

82. See recommendation 12 regarding programs and activities carried out to empower women and increase their participation in decision making and holding decision making positions.

**Recommendation 51**

83. Developing a Kiribati National Disability Policy that recognises people with disabilities in Kiribati indicates the government's commitment to meet its obligations under CRPD. Including people with disabilities in the education sector through the draft Inclusive education policy, as already indicated in Recommendation 10, tries to promote their participation in education.

84. Customs, traditions and the laws of Kiribati do not discriminate against children with disabilities or any child for that matter.

**Recommendation 52**

85. *Te Rau n te Mweenga Act* is a step towards specific family law review. The law also assists family peace because of the provision for the prevention of violence between family members and others in a domestic relationship and also facilitate and maximize safety of and protection of persons who experience and fear domestic violence.

86. See recommendation 11 for amendment of *Kiribati Provident Fund Act*.

87. The establishment of the *Education Act* allowing pregnant girls to continue school by stating that no disciplinary action must be taken to a student because the student is pregnant or is a parent.

**Recommendation 53**

88. See recommendation 52 for the provision in the *Education Act 2013*.

**Recommendation 54**

89. The *Maintenance Ordinance* provides for maintenance whereby a court may on application by or on behalf of any person make a declaration that another person or other persons shall be liable to maintain that person where it is satisfied that there is a legal or customary obligation to do so<sup>8</sup>. Case management prioritizes maintenance cases filed.

90. Government's Social Welfare School Fee Support Scheme to assist students with deceased and handicapped parents to meet their school fees at high schools.

**Recommendation 55**

91. See recommendation 10 regarding *Te Rau n te Mweenga Act*. Another significant provision under this Act is the No Drop Policy which prevents domestic violence cases and other criminal complaints from being withdrawn once it is filed, unless in exceptional cases where the prosecutor could not prove his or her charge with no witnesses available or insufficient evidence.

92. *Penal Code Cap 67* and other criminal laws in place will now be used with the *Te Rau n Te Mweenga Act* to prosecute on violence against women.

93. In addition to the development of the law, MWYSA is currently carrying out awareness and education programs through media and running the ESGBV multi-sectoral programs with key line ministries, such as MoE, through inclusion in curriculum. Additionally, the SafeNet program – a network of service providers, dealing with victim/survivors of GBV, is also contributing to the efforts taken to address the issue.

94. MHMS has also set up a GBV working committee to address the issue of violence against women. MHMS has a Standard Operating Procedure (SOP) in place.

**Recommendation 56**

95. Establishing the KPPS hotlines to take emergency calls, including domestic violence cases. It is a toll free line and it is available 24 hours.

96. In partnership with the Pacific Policing Initiative and the PRPI training and other partners like RRRT, training for the KPPS on domestic violence, handling of domestic violence, Human Rights and gender issues are ongoing. A training package for the KPPS has also been developed looking at domestic violence and sexual offences and is now being used to train all other police officers.

97. Further, gender based violence has now been included in the KPPS training curriculum as well as in the education curriculum through the ESGBV program.

**Recommendation 57 and 64**

98. National efforts to address the issue of domestic violence have been carried out through the establishment of a new unit (Domestic Violence and Sexual Offence Unit) within the KPPS to handle domestic violence cases. The KPPS have assigned female officers to manage the unit. Additionally, all KPPS stations have assigned police women to deal with female victims in their station's jurisdictions.

99. The development of the implementation plan for *Te Rau n te Mweenga Act* and the UNJP and SHIP are actions to ensure practical enforcement and applicability of the law.

100. The training provided to the KPPS for capacity building on domestic violence and its inclusion in the KPPS recruitment curriculum shows commitment to address this issue.

101. Project funded programs within the MWYSA to train enforcement officers and magistrates on domestic violence.

102. In 2006, a Standard Operating Procedure (SOP) for KPPS use was developed which also include dealing with women as victims of domestic violence and sexual offences.

103. As part of the implementation of the *Children, Young People and Family Welfare Act 2013*, a specific Standard Operating Procedure (SOP) setting out procedures for handling young persons in three areas; as a Victim, Offender and Witness was endorsed. The SOP provides the template that is currently used by Police Officers, the Social Welfare Office and its ASWOs stationed in outer islands, Judiciary, Referral Centers, AAFR and the MHMS to record, monitor and investigate reports of child abuse and neglect. Reports on cases are often lodged with the responsible MWYSA or the KPPS, the Referral Centre, i.e. the Crisis Center is responsible to house and protect the victims, the KPPS is responsible to prosecute the case and the MHMS is responsible to provide medical reports on the victims. In addition to the SOP, a training manual was also developed for dealing with young offenders.

**Recommendation 58**

104. A key element of the Shared Implementation Plan is the establishment of a Women and Children's Support Centre, a facility to look after victims of domestic violence. Training has also been provided to the OLSH Crisis Centre Staff.

105. A SafeNet program is currently implemented in country. The project's main objective is to help support Kiribati improve i) access to service delivery to victims of GBV and DV and in particular domestic violence as well as ii) data reporting and collection of GBV and DV statistics.

106. Other support and protection service networks are available at the KPPS, MWYSA, MoE, and MHMS that includes counseling training to assist both children and adult survivor/victims of DV.

**Recommendation 59**

107. In the Kiribati Development Plan (KDP) 2012-2015, the issue of disability is included. This is a national plan identifying the government's priorities for a four year period. The plan identified the limited education opportunities for children and adults with disabilities and also identified a need for an inclusive education for children with different learning abilities.

108. Implementation of the National Plans of Action to address gender based violence has also been progressed through the preparation of the SHIP and the Gok-UNJP, as noted earlier, and through the creation of a GBV unit and coordinator in the hospital, providing counseling services and training nurses on the Standard Operating Procedures for GBV.

**Recommendation 60**

109. Given their major role to play in the ESGBV, the KPPS participate in all ESGBV related taskforces and activities carried out.

110. See recommendation 56 regarding training to the KPPS on domestic violence.

**Recommendation 83**

111. The Government involves NGOs and Faith Based Associations in many of its programs, trainings and membership into Committees<sup>9</sup>.

**I. CRC**

**Recommendation 61 and 62**

112. See Recommendation 10 regarding the *Children, Young Persons and Family Welfare Act 2013* and *Te Rau n te Mweenga Act 2014* which address issues of violence and abuse against children and which amongst other things empowers the Social Welfare Division to intervene in cases of sexual exploitation and provide protection to children. *The Penal Code Cap 67* identifies many crimes against children.

113. A sub-regional lay magistrates' consultation on Human Rights was conducted in 2014 to enhance the knowledge of participants in human rights concepts and principles and to provide an opportunity for participants to discuss their roles in promoting and providing human rights compliant services for three specific vulnerable groups – children, persons with disabilities and women. It is anticipated after the consultation, participants will be able to identify possible human rights based solutions to improve access to justice in their own courts.

114. A Technical Working Group on Child Protection with main role to deal with law reform has also been established. It comprised of Judiciary, KPPS, Office of the Attorney General, NGOs, CBOs and Faith Based Organizations.

115. Training for Social Welfare Officers (SWOs) and Assistant Social Welfare Officers (ASWOs) on the implementation of the *Children, Young People and Family Welfare Act 2013*. As part of the training, an implementation manual was introduced with its applications to participants. The training ensured that the training materials, guideline tool, protocol on referral system and other resources are clear and user friendly. Additionally, counseling sessions, relevant issues on the Gender Based Violence and upgrading of the ASWO Job Description was also included in the training.

116. See recommendation 19 for details of the Juvenile Justice Project.

**Recommendation 66, 67 and 68**

117. The *Education Act 2013* expressly prohibits corporal punishment in all schools and it is a criminal offence for a principal or teacher to administer corporal punishment to a student.

118. Consideration is presently being given to new youth justice legislation, one of the objects of which will be to repeal the provisions of the *Magistrates' Courts Ordinance* that allow for sentences of corporal punishment for male offenders aged between 10 and 17 years<sup>10</sup>.

119. The *Education Act* protects the right to education for girls, in particular, where circumstances intervened in the form of pregnancy and parenting. The *Children, Young Persons and Family Welfare Act* addresses the issue of sexual abuse and exploitation of children.

**Recommendation 69**

120. Consideration to develop new youth justice legislation to guide people involved in juvenile justice system (refer to recommendation 10). Work on the youth justice legislation is progressing with consultations having been held and drafting in progress.

**Recommendation 70**

121. Female and male prisoners share the same prison compound but are accommodated in separate buildings. The female prisoners were further protected through erection of a fence around the building within that compound. Both separate buildings for female and male prisoners have same curfews, in particular, door locking and gate closing. Female wardens/police women work in shifts to look after female prisoners during the period when buildings are opened. Females are not allowed to go out from their gate within the prison compound except when needed and would always be accompanied by a female warden. The *Prison Ordinance* 40 provides 1) male and female prisoners shall be confined in separate parts of the prison, and 2) the following classes of prisoners shall, as far as the prison accommodation renders it practicable, be separated from one another, juveniles from adults and young persons,<sup>11</sup> however, there is no separate facility available yet for juveniles.

**Recommendation 71**

122. A study on child labour in Kiribati has been carried out by the ILO and assisted by the Ministry of Labour and Human Resources Development in 2011. The study documents certain instances of child labour, including some of its worse forms. The findings of this study will provide a base for Kiribati plans to address the issue of child labour.

**J. Health**

**Recommendation 72**

123. People in Kiribati enjoy free access to health and medical services.

124. Kiritimati Island Hospital caters for the population in the Line and Phoenix group; Establishment of health clinics in outer islands and all villages in the capital; Establishment of a new maternity ward in Betio (opened 2014) to cater for the most densely populated village of the capital; The establishment of the rehabilitation unit which provides physiotherapy services, home visits, prosthetic fittings, crutches and wheelchairs; In 2009, a



Southern Kiribati Hospital was established to cater for the islands in the southern part of Kiribati; Implementation of the Health Outreach Program (HOPE).

125. Non-Communicable Diseases (NCD) programs are currently being implemented to improve health, prevention of NCDs and prevention from further complications by people with NCD. Awareness programs targeting the public including children and food policy have been introduced to schools. Medical checkups in clinics and at sites requesting the service were also carried out as part of the program.

126. The implementation of the Reproductive Maternal Neonatal Child Adolescent Health (RMNCAH) program with key objects to control population growth through the provision of contraceptives, reduce maternal death, reduce death among neonates, reduce child mortality and address adolescent health – Sexually Transmitted Infections (STIs), teenage pregnancy and gender based violence.

127. Ongoing awareness on Sexually Transmitted Infections/Sexually Transmitted Diseases in schools and the community.

128. The Government provides compulsory and free primary and junior secondary schooling. Legislation provides that parents can be taken to court and charged if proved that they purposely hold their children from school.

129. The Government is carrying out improvements to school infrastructure and reviewing school curriculum to include GBV in the curriculum through the Healthy Living subject so that children can start learning about this topic at an early age. Additionally, introduction to basic counseling skills to teachers which aims to improve their response to students and teachers who had experienced domestic violence. The counseling will help improve academic performance of students as well as teachers' teaching performance. An ESGBV Education Committee has been set up to coordinate all ESGBV programs at the Ministry of Education.

130. The implementation of the Teaching English to Speakers of Other Languages, (TESOL) program from 2008-2010 at the Kiribati Teachers College (KTC). Included in the program was the methodology on teaching English delivered to KTC qualified teachers. Additionally, from 2012 – 2014, a KELP (Kiribati English Language Proficiency Program) that focused on upgrading capacity on English proficiency on the 4 macro-skills namely reading, writing, listening and speaking to the required standard was also implemented for KTC qualified teachers at the college.

131. Special In-service training awards for undergraduates offered to teachers to improve teaching quality.

### **Recommendation 73**

132. The Kiribati Development Plan (2012–2015) identifies HIV/AIDS as one of its priorities and the Ministry of Health is implementing its National Strategic Plan for responding to HIV/AIDS.

133. Awareness raising on HIV/AIDS continues and training of service providers is also provided. UNICEF and other agencies alike work closely with the MHMS to combat HIV and AIDS. The Kiribati Family Health Association also carried out awareness raising and education programs on HIV/AIDS.

134. A medical doctor has been allocated to overlook the HIV/AIDS project funded by the SPC.

135. To improve the services on HIV/AIDS, HIV preventive measures, counseling and testing services are available now in 10 clinics. In 2014 Parliament supported the move to encourage all people for testing against HIV/AIDS. A Youth Friendly Health Service

(YFHS) that provides counseling and medical advice is currently being implemented with schools. Four secondary schools have offered space for the YFHS clinic at their schools and are currently operating through providing services that deal with reproductive health and other health issues. The clinic is staffed by a registered nurse. Awareness on this YFHS is ongoing.

136. Increase in community outreach targeting the most high risk and hard to reach population; deliver messages on HIV through radio programs; ensure uninterrupted supply of condoms to targeted sites and distribution points; promote HIV services during national events e.g. independence day, youth day, and other important national days; develop a website designed for educational purposes targeting young internet users; training of trainers to health staff and peer educators in outer islands; establish sites outside the hospital where condom and HIV information are easily accessible by passersby, in particular youth.

**Recommendation 74**

137. No specific training on vaccinations but training on management of HIV treatment using anti-viral drugs had been conducted. A HIV doctor who was appointed to oversee the HIV/AIDS program will undergo training related to HIV/AIDS should there be training available for vaccination to combat and prevent the spread of HIV/AIDS. Currently, the vaccination for HIV/AIDS is not available yet in the market but Kiribati is supporting the idea of developing such vaccination and would seek access to free vaccinations.

**K. Education**

**Recommendation 75**

138. The *Education Act* employs the principles of Inclusive education whereby a child of compulsory school age with a disability or who is above the school compulsory age, must not be excluded from access to free primary and junior secondary education on the basis of disability or age.

139. The Government provides school trucks for transport for students in both the capital and the outer islands for a reasonable fare.

140. The Government is committed to addressing issues for people with disabilities, for example by providing easy access through the Class Rehabilitation Program that includes ramp access for children with disabilities.

141. A Technical Vocational Education Training – Strengthening Sector Program is currently being implemented in country to upgrade the Kiribati Institute Technology (KIT) – a vocational school, so it can deliver Australian qualification standards.

142. Church schools provide vocational and community skills.

143. Financial subsidy to registered schools outside of government schools, e.g. church high schools.

**Recommendation 76 and 77**

144. The government allocates a large portion of its annual budget allocation to the Ministry of Education. This indicates the government priority. Complementary to this, a program funded by the Department of Foreign Affairs and Trade (DFAT), Australian Government, is providing assistance to the education sector through the KEIP (Kiribati Education Improvement Program) to improve the education, teaching systems and infrastructure. Construction of school buildings to a safer permanent building, building

ramps and separate toilet facilities for boys and girls, free resources such as student's working books; readers and the like were also provided to schools.

145. The *Education Act 2013* ensures access to school by the children.

#### **Recommendation 78**

146. An ongoing program on upgrading the efficiency and skills of teachers to graduate teachers from the Kiribati Teachers College and the University graduates. Refer to recommendation 72 for details of KERP. The program is currently under review to determine the next steps to be taken for teachers' training.

147. Training for teachers under the ESGBV Project to have basic counseling skills for students to address Domestic Violence has been conducted in 2013 and 2014. The guideline for basic counseling for teachers is being finalized. Counselors for all schools in Kiribati have also been established in schools to improve services for both teachers and students.

148. Special In-service training awards for undergraduates offered to Kiribati Teachers College (KTC) graduate teachers. KTC is one of the two priority institutions that has been granted government support for in-service training awards for undergraduates. All ministries are not supported for in-service undergraduate awards except for the post graduate scholarships.

149. Other professional developments on leadership, WASH, Teachers' Code of Ethics to name a few were offered through workshops to the Primary and Junior Secondary School teachers.

#### **Recommendation 79**

150. With support from the Kiribati Education Improvement Plan (KEIP) as already mentioned, the school curriculum is currently being reviewed. So far, review on the curriculum for years 1-3 has completed in 2013, Year 4 curriculum will complete in 2014, while curriculum for years 5 and 6 will be completed by 2015. Incorporated in the education curriculum is the use of gender neutral languages. Teaching about preventing Gender Based Violence has been incorporated in the curriculum under the subject area of Healthy Living.

151. Teachers from both the capital and outer islands have benefited from the English proficiency and teaching professional development trainings to improve teaching.

## **L. Environment**

#### **Recommendation 80**

152. The development of the Kiribati Integrated Environment Policy (KIEP) identifies national environment priorities under 5 thematic areas – climate change, biodiversity, waste management and pollution control, resource management and environmental governance. The KIEP informs the government as well as donors on the environment priorities that need to be addressed at the national level. The policy aims to achieve the protection and management of the environment and promotes the environmental resilience against the impacts of climate change through achieving the objectives of each thematic area.

153. The implementation of the Water and Sanitation project in Kiribati (UNICEF, MPWU, UNDP) to increase access to safe and sustainable water and sanitation and reduce WASH-related diseases in at least 70 out of the 142 villages in 16 islands of the Gilbert group, in Kiribati. The project concentrates on the outer islands.

154. Implementing the South Tarawa Sanitation Improvement Sector project with the objective to rehabilitate the sewerage system in South Tarawa and provide capacity building to Ministry of Works and Public Utilities and Public Utilities Board (PUB) staff on maintaining the sewerage system, tariff setting and improvement of collection of revenues. The program will also trial septic, pit latrine and compost toilets in South Tarawa villages that have no access to the central sewerage system.

155. The amendment of the Building Code to include a requirement for a septic system for every new house application to improve sanitation. This will be reviewed in accordance with the responsible Ministry's guidelines. Moreover the STSISP (South Tarawa Sanitation Improvement Sector Project) is proposing better alternative designs of septic systems. These design documents, upon completion are anticipated to be adopted by MPWU (addition to the Building Code) and then for general public compliance.

156. The establishment of the Phoenix Islands Protected Area (PIPA), a protected marine area which spans over 410, 500 km<sup>2</sup>, and is the first World Heritage site in Kiribati. The PIPA regulation preserves one of the last intact coral reef archipelagic systems. Just recently, the Government of Kiribati declared the banning of commercial fishing in the area to be effective from 2015.

157. Implementing the Vessel Day Scheme (VDS) in Kiribati in 2013 which limits entry into Kiribati's EEZ to fish.

158. The implementation of the Kiribati Adaptation Project (KAP) with a goal to reduce vulnerability to climate change, climate variability and sea level rise.<sup>12</sup> One of the programs the KAP supports is mangrove replanting.

159. Adopting the Kiribati Joint Implementation Plan (KJIP) for climate change and disaster risk management, a systematic and integrated plan, identifying tangible actions that will maximize the efficiency and effectiveness of existing capacities and resources as well as ensuring new initiatives are well targeted and have maximum impact.

160. The ESAT project is currently operating with a main purpose to relieve the coast lines from heavy sand and gravel mining.

#### **Recommendation 81**

161. The *Environment Amendment Act 1999* is the basic national charter for protection of the environment and conservation of the resources for Kiribati. It sets goals and provides means for carrying out the sector policy and the Kiribati Development Plan. The Act contains provisions to make sure that the public, including government bodies comply with the Act. The draft regulations that follow will implement specific sections of the Act. Their purpose is to tell the public what they must do to comply with the procedures and achieve the goals of the Act. The Ministry of Environment, Lands and Agricultural Development is responsible for enforcing the Act so as to achieve the substantive requirements of the Act.

162. Additionally, a Kiribati Integrated Environment Policy (KIEP) has been endorsed, which identifies national environment priorities and clearly outlines the roles, responsibilities and coordination of action for all relevant bodies.

#### **Recommendation 82**

163. As a party to the United Nations Convention on Climate Change, Kiribati is actively pursuing international cooperation through the meetings and negotiations attended. Given its vulnerability to climate change, specifically sea level rise and its limited capacity to adapt to climate change, Kiribati has identified adaptation as its national priority. Issues, needs and requests for technical and financial assistance are always raised at the international and regional level. Bilateral assistance has also been sought for adaptation.

Kiribati is also using media campaigns as a means of reaching out to the international community for this purpose.

164. The Coalition of Atoll Nations on the issue of Climate Change (CANCC), initiated by the President of Kiribati, represents low lying atoll nations in the world who are on the ‘frontline’ of the impacts of climate change and who are considered as the ‘early warning system’ for other nations given that more than 70% of human settlements and cities are built along coastal areas. The Coalition provides a basis for the low lying atoll nations to combine their efforts in making a stance on the international stage. Building on the momentum of this CANCC needs to continue, with the aim to attract the attention, the contribution and cooperation/support from bigger countries.

## V. Achievements, best practices, challenges and constraints

165. The Government of Kiribati recognizes the progress that has been made in relation to meeting its human rights commitments and obligations. Achievements include:

- Establishment of the Ministry of Women, Youth and Social Affairs which housed all core members of the Human Rights Conventions through the amendment of the Constitution;
- Enactment and endorsement of the *Children, Young Persons and Family Welfare Act* and Policy;
- Enactment of the *Education Act*;
- Endorsement of *Te Rau n te Mweenga Act*;
- Endorsement of the ESGBV Policy.

166. It is also important to note that there are draft policies currently in the process, developed as part of meeting Kiribati’s obligations under the human rights conventions. The following are currently being finalised:

- The National Gender Equality and Women’s Development Policy;
- Gender Access and Equity Policy;
- Inclusive Education Policy;
- Kiribati National Disability Policy;
- Shared Implementation Plan and the GoK- United Nations Joint Programme (4 year plans to support the elimination of gender based and domestic violence);
- *Te Rau n te Mweenga Act* Implementation Plan.

167. This report also identifies constraints and challenges faced by Kiribati on the implementation of its human rights obligations and in particular the accepted recommendations from the UPR dialogue in 2010. These challenges and constraints include:

- Lack of human resources to implement and address reforms;
- Lack of funding to properly implement and address reforms;
- Lack of internal capacity;
- Lack of understanding and support from the community on the Human Rights Conventions;

- Conflicts between traditional, cultural beliefs and rulings and Human Rights Delay of funds affecting the implementation of plans.

## **VI. Key national priorities and initiatives and commitments that the State concerned has undertaken and intends to undertake to overcome those challenges and constraints and improve human rights situations in the State**

168. The Government of Kiribati uses the Kiribati Development Plan as a guide to instigate key sector policies and implementation plans. Some of the key national priorities identified include:

- The rehabilitation of primary school facilities and resources;
- Delivery of high quality, coherent and relevant school curriculum for Kiribati children;
- The development of inclusive policy;
- Improving access to antenatal and post natal care;
- Strengthening, modernising and updating of laws governing leadership and operations of different sectors;
- Raising awareness of the building code and ensure compliance;
- Strengthening institutional capacity to plan and implement climate change intervention.

169. Additional priorities needing further Government attention include:

- Institutional strengthening of Human Rights institution within the responsible Ministry;
- Budgeting for meeting its obligations under Human Rights Conventions including reporting obligations;
- Awareness raising and education of the public at different sectors;
- Maintaining, sustaining, monitoring and evaluating ratified Human Rights Conventions, in particular, gathering data and reporting progress.

## **VII. Expectations of the State concerned in terms of capacity building and request if any, for technical and support received**

170. The Government of Kiribati appreciates the continuous support from partners and organizations on the implementation of its human rights obligations. The Government of Kiribati further requests the international community for additional technical and financial assistance for the implementation, monitoring and evaluation of the ratified Human Rights Conventions. Additionally, the Government of Kiribati requests to the international community for continued support and assistance to enhance capacity in Human Rights until such time when the country is technically capable of meeting its obligations.

171. Kiribati needs assistance to build national capacity in order to meet its commitments related to the vulnerable groups including women, children and persons with disabilities.

## VIII. Voluntary commitments

172. The Government of Kiribati commits to continuing and completing work on the implementation of the key priorities under the Kiribati Development Plan. Kiribati commits to working with partners nationally, regionally and internationally to implement its human rights obligations.

## IX. Conclusion

173. The Government of Kiribati regards its second report as complementing recommendations of the first report and plans to strengthen the promotion and protection of human rights that was initiated when its first report was adopted. The Government of Kiribati will work to cooperate with UN Agencies, regional bodies and development partners in building capacities, training and exchanging human rights expertise and experiences with other Pacific Island countries.

174. The Government of Kiribati calls on the international UN Agencies and development partners to assist in progressing its human rights obligations through technical and financial assistance.

### Notes

<sup>1</sup> CEDAW, CRC, CRPD.

<sup>2</sup> Means Family Peace - specific Domestic Violence legislation.

<sup>3</sup> Office of Te Beretitenti, Ministry of Women, Youth and Social Affairs, Office of the Attorney-General, Ministry of Foreign Affairs and Immigration, Ministry of Education, Ministry of Environment, Lands and Agricultural Development, Ministry of Internal Affairs, Ministry of Health and Medical Services, Office of the People's Lawyer, Ministry of Labour and Human Resources Development, Kiribati Police and Prison Services, Judiciary, Ministry of Public Works and Utilities, Ministry of Finance and Economic Development.

<sup>4</sup> RRRT, PIFS, SPC, PPVDP, NZ Police, Fiji Women Crisis Centre, Australian Aid Program, UN Women, UNICEF, UNDP, UNFPA, WHO, UNESCO, UNESCAP, WHO.

<sup>5</sup> *Communications Act 2013*, 114.

<sup>6</sup> *Penal Code Cap 67*, 153.

<sup>7</sup> The Government of Kiribati ratified the Minimum Age Convention 138 and Worst Forms of Child Labour Conventions 182' in 2009.

Amendments to the *Employment Ordinance* were made in 2008 incorporating some of the principles of the aforementioned Conventions.

<sup>8</sup> *Maintenance (Miscellaneous Provisions) Ordinance (Cap. 53)*, 3(1).

<sup>9</sup> A Commission on the Status of Women held in New York in 2012 and 2013; The Millennium Development Goal Post 2015 consultations held in the same year; Training on Violence against Women Advocates conducted by the RRRT in 2013; Legislative lobbying program; Capacity building for recipients of the Pacific Eliminating Violence Against Women Facility Fund; Study tour in New Zealand, Australia and Fiji through the ESGBV project; Consultations for the new Ministry of Women, Youth and Social Affairs and the Family Peace Bill which is a significant progress in criminalizing domestic violence; Consultations on the *Children, Young People and Family Welfare Act 2013*; Male Advocacy program; Membership to the HR national taskforces/committees; Membership to the SafeNet committee.

<sup>10</sup> *Magistrate Court Ordinance*, 67(d).

<sup>11</sup> *Prisons Ordinance*, 40(1), 40(2)(b).

<sup>12</sup> The project is supported by World Bank, GEF, AusAID, NZ Aid, Japan PHRD climate change fund and UNDP with a goal.