



Convention on the Rights of the Child

Distr.
GENERAL

CRC/C/SR.1168
22 September 2006

Original: ENGLISH

COMMITTEE ON THE RIGHTS OF THE CHILD

Forty-third session

SUMMARY RECORD OF THE 1168th MEETING (Chamber B)

Held at the Palais Wilson, Geneva,
on Wednesday, 13 September 2006, at 3 p.m.

Chairperson: Ms. KHATTAB

CONTENTS

CONSIDERATION OF REPORTS OF STATES PARTIES (continued)

Initial report of Kiribati (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the public meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.06-44217 (E) 150906 220906

The meeting was called to order at 3 p.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4) (continued)

Initial report of Kiribati (continued) (CRC/C/KIR/1; CRC/C/KIR/Q/1; CRC/C/KIR/Q/1/Add.1)

1. At the invitation of the Chairperson, Mr. Lambourne, Ms. Rikare, Ms. Taoaba and Mr. Tiban (Kiribati) resumed places at the Committee table.
2. Ms. TAOABA (Kiribati) said that the Government did not possess adequate resources to provide disabled children with the necessary assistance. As a result, disabled children were cared for primarily by their families. Two main associations dealt specifically with the disabled: the Disabled Association and the Kiribati School for the Disabled. Currently, all disabled children were placed in the school regardless of the severity of their disability, and not all the school's teachers were fully qualified to teach disabled children. Increased support for disabled persons was one of the policy aims of the Government. Tax incentives were offered to families caring for children with disabilities and a rehabilitation unit for disabled persons was available at the central hospital. The Ministry of Internal and Social Affairs provided some financial assistance and equipment to NGOs working with disabled persons.
3. Mr. ZERMATTEN asked whether there was a policy to promote the integration into mainstream schools of children with minor disabilities.
4. Ms. TAOABA (Kiribati) said that the Government did have such a policy. A recently completed disability survey had revealed that the number of disabled persons in Kiribati was very small. Although the establishment of a hotline for child victims of abuse was a good idea in principle, telephone service was prohibitively expensive in Kiribati, so that not many children would be able to access the hotline.
5. The CHAIRPERSON suggested that the Government should contact Child Helpline International to request assistance in setting up a hotline that would take into account the specific needs of Kiribati.
6. Mr. TIBAN (Kiribati) said that, rather than a hotline, the Government might wish to consider developing a website where children could report abuse, given that many young people used the Internet. As a way to improve the delivery of child health services, the efforts of the Ministry of Health currently centred on harmonizing traditional and modern medicine. Such efforts included strengthening the activities of the Village Welfare Groups, which were involved in delivering primary health care, as well as those of traditional healers. In cooperation with the United Nations Children's Fund (UNICEF), it was attempting to harmonize the practices of traditional birth attendants with those of Western doctors as a way of reducing infant mortality. Kiribati faced many challenges in the area of sanitation and safe drinking water.
7. Mr. LIWSKI asked whether the Cuban doctors in Kiribati were working to facilitate access to primary health care in the outer islands or whether their services would be concentrated in urban centres.

8. Mr. TIBAN (Kiribati) said that Cuba had an excellent public health system and had sent 10 doctors to Kiribati not only to provide specialist treatment in much-needed areas, such as cardiology and orthopaedics, but also to help train medical school students. Part of the plan was also for those doctors to act as family physicians to meet the needs of the population in the outer islands.
9. Although statistics showed that only a handful of children had been infected with HIV/AIDS, the Ministry of Health suspected that the actual figures were higher due to under-reporting. In cooperation with UNICEF, the Government was working on a plan to prevent mother-to-child transmission of HIV/AIDS.
10. Ms. ALUOCH said that the delegation should comment on the lack of testing and counselling in areas other than the capital city.
11. Mr. TIBAN (Kiribati) said that the Government was currently concentrating its limited resources in the urban areas where the bulk of the population lived, while preparing an effective response in other parts of the country. Together with a number of NGOs, it was training health workers and police officers to provide basic counselling about HIV/AIDS. Moreover, there were plans to provide volunteer counsellors, offer testing and conduct public health campaigns. The number of persons infected with HIV/AIDS was on the rise in Kiribati.
12. Mr. PARFITT asked whether information on HIV/AIDS had been incorporated into school curricula.
13. Mr. TIBAN (Kiribati) said that introducing such information into school curricula was one of the main goals of the Government's HIV/AIDS plan. Currently, teams were sent out to raise awareness in schools, and the public admission by several individuals that they were HIV positive had given impetus to efforts in that direction.
14. Although much concern had been expressed about the sexual exploitation of girls by foreign fishermen, particularly Korean seafarers, it had been found that the problem also involved the local population. An adolescent reproductive health programme had been set up to provide counselling and materials, and a low-cost fitness centre for adolescents had been built to provide healthy activities for young people. Resolving the problem of sexual exploitation in Kiribati would require the cooperation of various sectors of society.
15. Ms. VUCKOVIC-SAHOVIC said that, although poverty and boredom should be addressed as causes of commercial sexual exploitation, it was even more important to bring the perpetrators to justice. She asked whether the Kiribati Government envisaged criminalizing sexual exploitation and sentencing perpetrators.
16. Mr. TIBAN (Kiribati) said that Kiribati was witnessing a breakdown in its traditional cultural values, which had contributed to the persistence of the problem of sexual exploitation. A Korean NGO had provided the Government with leaflets written in Korean to remind Korean seafarers of their responsibility to respect the rights of Kiribati girls.
17. Ms. TAOABA (Kiribati) said that a committee composed of the heads of all churches in Kiribati had recently been established for the purpose of combating violence against women.

18. Ms. RIKARE (Kiribati) said that the mission statement of the Ministry of Education included providing quality, lifelong education that would prepare all Kiribati citizens to become productive members of society. The goals of the Ministry of Education were: to ensure access to basic education for all Kiribati children; to provide further education, training and lifelong learning opportunities to young people and adults; to preserve Kiribati's cultural identity and community and traditional values; to empower young people to use language and literacy to become self-reliant in the local and global world; and to strengthen partnership between all education providers in attaining the identified goals.

19. Some of the challenges posed by efforts to achieve quality in education included inadequate facilities and the geographical remoteness of certain parts of the country. The Government was appreciative of the assistance provided by aid donors, which had recently supplied Kiribati primary schools with books, dictionaries, maps and other learning-support materials. An information system had been set up to measure the extent to which the Ministry of Education was reaching its goals. To ensure the quality of teaching, the Kiribati Teachers' College offered programmes to provide further training for junior secondary school teachers. There was an overall need for better qualified teachers and teacher recruiting procedures, in particular, needed to be improved. The Kiribati language was taught in the lower primary grades; English was the language of instruction starting with the upper primary grades.

20. The Kiribati Training Programme was a new initiative that involved rural secondary schools and targeted early school leavers and adults. Given the failure of previous efforts to provide training in rural areas due to their having been seen as insufficiently academic, the new programme would rely on junior secondary school staff and facilities in conjunction with technical support. The Teacher Training Institute provided vocational training in English, mathematics, management, business, local administration, computing and other courses designed to help students to find jobs. There were no distance learning programmes in Kiribati since only a few schools had computers.

21. The CHAIRPERSON suggested that the Ministry of Education might wish to consider developing distance learning for remote areas as a less expensive alternative to traditional classroom education. It could perhaps enlist the support of donors for that purpose.

22. Ms. SMITH asked whether the Government encouraged as many children as possible to attend secondary school, or whether some children were encouraged to register for vocational education. She wondered what the Government's aims were in respect of developing secondary education.

23. Ms. RIKARE (Kiribati) said that there were 17 secondary schools in Kiribati, but there were no vocational education institutions. All children were encouraged to attend school, and to progress to the tertiary level of education.

24. Mr. ZERMATTEN said that although primary and secondary education were apparently free of charge, according to the State party report, many children were unable to attend secondary school owing to the excessive costs. He wished to know what those costs were.

25. Mr. FILALI asked whether there was a modernist approach to education, or whether the Government continued to encourage traditional education. Were there sufficient educational materials and supplies for all school pupils?
26. Ms. RIKARE (Kiribati) said that recent donations had ensured a sufficient supply of books for all school pupils. Conventional subjects such as English and mathematics were taught alongside traditional culture, arts, crafts and dancing. Primary and junior secondary education were free of charge, but the cost of transport was not included. Although pre-primary level teacher training had been provided in the past, no such training was currently offered.
27. Ms. TAOABA (Kiribati) said that although primary and junior secondary education were free of charge, children's chances to remain in school were limited since resources were few, and competition for places was therefore considerable. Few students got far enough through the education system to achieve university entrance.
28. Ms. ALUOCH asked what became of the children who did not remain in school education.
29. Ms. TAOABA (Kiribati) said that since both the civil service and the private sector in Kiribati were very small, jobs were few, and the Government was therefore trying to encourage self-employment. Training for pre-primary teachers had stopped since the demand for teaching staff had already been met. Pre-primary education traditionally took the form of informal gatherings in the villages. The demand for pre-primary education institutions in the formal sense was therefore small.
30. The CHAIRPERSON asked what percentage of preschool age children were enrolled in pre-primary education, and whether pre-primary education institutions had sufficient places for all of the children who wished to attend.
31. Ms. TAOABA (Kiribati) said that pre-primary education took place outdoors, underneath the coconut trees, and there was therefore room for all children who wished to attend.
32. Mr. LIWSKI requested further information on the project to integrate young school leavers into the workforce, in particular whether it was a pilot project, and what its results had been.
33. Ms. TAOABA (Kiribati) said that employment training for early school leavers was being introduced at the junior secondary school level.
34. Mr. LAMBOURNE (Kiribati) said that, although every parent aspired to send their child to university, not enough places were available in senior schools to prepare students for university entrance. Efforts should be made to change public opinion and encourage more realistic aspirations. Kiribati did not have a university, and students therefore had to study abroad. Scholarships and bursaries were limited, and there were few employment opportunities for graduates. Although the Government was making efforts to stimulate the economy,

development in that area required increased consumerism, which was contrary to the traditional values of Kiribati. The Government's current policy was to provide places in schools for all children up to the age of 14 years. The Government was seeking ways to divert young people into vocational education, and to ensure that there was a role for every person to play in the society and community of Kiribati.

35. Ms. ALUOCH asked whether the system of selection for continued education was fair and transparent.

36. Ms. SMITH asked what was being done to increase the places in secondary schools, since children had a right to learn, and should be guaranteed the possibility of education at least until the age of 16.

37. Ms. RIKARE (Kiribati) said that enrolment in senior secondary school depended on the results of examinations taken at the end of junior secondary school. Approximately 75 per cent of students generally passed those examinations. In senior secondary school, examinations were taken annually to select the students who would continue their education. The system was fair and transparent.

38. Mr. LAMBOURNE (Kiribati) said that efforts were being made to provide vocational education for young school leavers, and to advise parents to encourage their children to participate in vocational learning programmes. On the issue of corporal punishment, he said that although progress had been made, much remained to be done. Although the statutory provisions allowing for the use of corporal punishment in schools had been repealed, corporal punishment was not expressly prohibited by law. Corporal punishment was still widely used in the home, and was traditionally considered acceptable. The Government was taking measures to educate parents in alternative methods of discipline.

39. The Government was aware of the contradictions in respect of age limits in the justice system. The sentencing options available to magistrates were not available in the event that a young person had committed a serious offence and came before the High Court. In such cases, the young offender would be given the same punishment as an adult offender. Although it was rare for a minor to appear before the High Court, and in practice the High Court did its utmost to avoid handing down custodial sentences to minors, there was no official limit to the length of sentences applicable to young offenders. If a juvenile committed murder, the court had no choice but to impose a life sentence. The Government was aware of the need to establish a separate juvenile justice system. In that regard, steps were being taken in magistrates' courts to establish special procedures for minors, including setting aside days specifically for juvenile court hearings, and taking measures to inform parents that their children were due to come before the courts. In the past, parents had been unaware of fines or penalties incurred by their children. The involvement of parents in cases meant that discussions could take place with the family of the victim of the offence, and amicable solutions could be found.

40. Ms. ALUOCH asked what remedies were available to young people who were the victims of domestic violence.

41. Mr. LAMBOURNE (Kiribati) said that children could draw on the resources of their extended family and community. Children who had been subjected to domestic violence often went to live with other members of their extended family. A special family assistance and social protection unit had been established to assist victims of domestic violence and to draw on the experiences of other countries. It was difficult for the police to define an appropriate response to domestic violence, and assistance in that regard was being provided by the New Zealand police force.
42. Mr. FILALI expressed concern that minors could be sentenced to life imprisonment. He wished to know whether the Government planned to reform the justice system and bring it into line with the Convention, and whether efforts would be made to give priority to the teaching of tolerance and responsibility in schools, in order to prevent juvenile crime.
43. Mr. LAMBOURNE (Kiribati) said he agreed that that was a matter of serious concern. As in any developing country, politicians must choose their priorities, and Kiribati had a wide range of issues needing attention. His delegation would welcome strong recommendations from the Committee, with a view to pressing for necessary changes to the law, which had not previously been seen as a priority since no young person had ever received a life sentence.
44. Ms. ALOUCH asked where a child sentenced to life imprisonment would be incarcerated.
45. Mr. LAMBOURNE (Kiribati) said that his country had no separate facilities for juveniles. Moreover, in the case of murder, the court had no discretionary power: it must hand down a life sentence. The only remedy would be commutation by the President. He hoped that no child would be convicted of murder before the relevant legislation was changed.
46. Turning to other matters, he said that Kiribati had a broad concept of maintenance. If a person could demonstrate that another person had a customary obligation to maintain him or her, then the courts could oblige that person to do so. There had been cases where elderly people had successfully sued their children or grandchildren for maintenance. A court order was binding and enforceable by the police, as well as being enforceable in countries with which Kiribati had bilateral agreements. A custody order, on the other hand, was not final, and could be reviewed and revised by the courts if circumstances changed.
47. The Constitution of Kiribati prohibited the formation of a defence force. Necessarily, therefore, the police had additional roles that could be described as paramilitary: in fact, that consisted of one patrol boat that patrolled the ocean around Kiribati, in other countries a function of the navy. The minimum age for enrolment in the police force was 21, so there was simply no possibility of children being recruited. The police commissioner was eager to instil an awareness of broader human rights issues in the members of the force, including the rights of children. Five Kiribati police officers were currently serving in an international force in the Solomon Islands.
48. The CHAIRPERSON asked whether Kiribati citizens who committed crimes involving sexual abuse of children were prosecuted locally.

49. Mr. LAMBOURNE said that that would only be possible in the case of civil servants. The concept of extraterritoriality had recently been introduced into Kiribati law, in the framework of counterterrorism legislation. It should therefore be possible to introduce that principle into areas affecting children, such as sex tourism and the involvement of children in armed conflicts.

50. There was no formal system for the commercial sexual exploitation of children, which occurred on an opportunistic, casual basis. When foreign fishing vessels were in port, young women offered sexual services for money, fish, or gifts - and parents sometimes arranged the transaction. That was a cultural issue: girls who were no longer virgins, even those deflowered by rape, were considered to have loose morals and to be unmarriageable. Parents often shared that view, and solicited the sexual exploitation of their daughters.

51. The CHAIRPERSON, noting that the problem was pervasive in that region of the world, inquired whether the Government had created programmes to redress the notion that girls who were not virgins had no value.

52. Mr. LAMBOURNE (Kiribati) said that the traditional response had been to identify such girls as offenders and to prosecute them rather than seeking out the fishermen who had exploited them. It was difficult to inculcate the idea that such girls needed protection from the risks they were incurring, including pregnancy and exposure to violence and sexually transmitted diseases.

53. Mr. PARFITT said that sexually abused children often had no means of complaining and no place to present a complaint; and there were often no sanctions available against perpetrators. In his view, the law must take the lead; attitudes would follow. He wondered what was the view of Kiribati in that respect.

54. Mr. LIWSKI said it would be interesting to know whether boys shared the traditional attitude towards sexually abused girls or girls who engaged in sexual activity, how they behaved towards such girls, and what guidance they were given in school and in the home. Furthermore, he wondered whether measures had been taken to provide guidance to health-care workers and educators in the dangers posed to girls by such attitudes and practices.

55. Mr. LAMBOURNE (Kiribati) said he agreed that progressive laws were necessary in order to protect young girls from exploitation. Within the police force, the persons who dealt with such problems had enlightened views. Attitudinal changes were taking place, albeit mostly among the more highly educated members of society; he hoped that trend would spread.

56. The attitudes of boys generally reflected deeply entrenched views about the role of women in society. Education was necessary; change would not take place quickly.

57. Ms. ALOUCH inquired whether, in the view of the delegation, there would be a lack of political will in Kiribati to introduce legislative reforms of the kind that were likely to be recommended by the Committee.

58. Mr. LAMBOURNE (Kiribati), noting that politicians were interested in votes, said that there was little grass-roots momentum on the issues under discussion. Many sectors would need to be involved in bringing about change, including old men, who were the island's traditional

community leaders. There might be resistance from some members of the community, and the Committee's recommendations could well be dismissed as irrelevant in certain quarters. However, there were Government leaders who were genuinely committed to achieving change, and if the development partners and traditional community leaders were in agreement, it was possible that progress might be made.

59. Ms. TAOABA (Kiribati) said it should be pointed out that one of the obstacles was financial; resources were needed to implement solutions.

60. The CHAIRPERSON said that the dialogue had been rich and informative; she thanked the delegation for its attitude of objective self-criticism.

61. Mr. ZERMATTEN said that the Committee now had a fuller understanding of the lives of children in Kiribati. As was stated in the report, the child was considered the "pearl of the family", and was protected by all other members of the family. In general, however, greater protection of children was necessary in the areas of education, environment and health, and in particular from various forms of violence and sexual exploitation. In the phase of transition to a more modern society, children should be permitted greater participation in the life decisions affecting them: their views should be heard. Moreover, the rights of the child should be implemented in a systematic and non-discriminatory manner.

62. It was clear, however, that the pace of change was slow. The Committee's concluding observations would stress the various problems that had been noted. He added that Kiribati, as a scattered island community, would greatly benefit from the use of new technologies, in particular for the registration of vital statistics, such as date of birth.

63. Ms. TAOABA (Kiribati) said that her delegation welcomed the questions and comments of the members of the Committee, which would be useful in bringing law and practice in Kiribati into conformity with the terms of the Convention and in improving the lives of children. She offered the traditional Maori blessing: "Health, peace and prosperity".

The meeting rose at 5 p.m.