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Kiribati

* The present document is being issued without formal editing.



Abbreviations acronyms

AMAK	Aia Maea Ainen Kiribati
BIMBA	Boutokaan Inaomataia ao Mauriia Binabinaine Association
BTC	Betio Town Council
CAT	Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, also known as the United Nations Convention Against Torture (UNCAT)
CC	Climate Change
CCDRM	Climate Change Disaster Risk Management
CCDRM	Climate Change Disaster Risk Management
CDOs	Curriculum Development Officers
CDRC	Curriculum Development Resource Centre
CEDAW	Convention of Elimination of All Forms of Discriminations Against Women
CFD	Climate Finance Division
CPRD	Convention on the Rights of Persons with Disabilities
CPRP	Child Protection Referral Pathway
CRC	Convention on the Rights of a Child
CSO	Civil Society Organisations
CYPFWA	Children and Young Persons and Family Welfare Act
DFAT	Department of Foreign Affairs and Trade
DRM	Disaster Risk Management
DRMCC Act 2019	Disaster Risk Management and Climate Change Act 2019
EHU	Environmental Health Unit
EIRC	Employment Industrial Relation Code 2021 (Amendment)
ESGBV	Eliminating Sexual and Gender Based Violence
ESSP	Education Sector Strategic Plan
EVAWG	Eliminating Violence Against Women and Girls
FBOs	Faith-Based Organisations
FLE	Flexible Learning Education
FPA	Family Peace Act
GBV	Gender Based Violence
GEF	Global Environment Facility
GEWD	Gender Equality for Women Development Policy
GHG	Greenhouse Gases
HRD	Human Rights Division
HRSD (SPC)	Human Rights Social Development within South Pacific Community
IEC	Island Education Coordinator
KCCP	Kiribati Climate Change Policy
KDP	Kiribati Development Plan

KIJP	Kiribati Joint Implementation Plan
KIRIMAT	Kiribati Medical Assistance Team
KNDP	Kiribati National Development Program
KNEG	Kiribati National Expert Group
KNHRTF	Kiribati National Human Rights Taskforce
KOICA	Korea International Cooperation Agency
KTC	Kiribati Teachers College
KUC	Kiribati Uniting Church
KV20	Kiribati 20-year Vision
M&E	Monitoring and Evaluation
MFED	Ministry of Finance Economic Development
MHMS	Ministry of Health and Medical Services
MICT	Ministry of Information Communication Transport
MISE	Ministry of Infrastructure and Sustainable Energy
MOE	Ministry of Education
MOJ	Ministry of Justice
MWYSSA	Ministry of Women Youth Sport and Social Affairs
NAP	National Action Plan
NDC	National Determined Contribution
NEHCCHAP	National Environment Health and Climate change Health Action Plan
NGOs	Non-Government Organisations
NMIRF	National Mechanism for Implementation Reporting and Follow-up
OB	Office of Te Beretitenti
PE	Physical Education
PHC	Primary Health Care
IPHERP	Public Health Emergency and Responses Plan
PSC	Public Service Commission
RMNCAH	Reproductive, Maternal, Newborn Child and Adolescent Health
SCA	Senior Citizens Allowance
SDG	Sustainable Development Goals
SFU	Support Fund for the Unemployment
SGBV	Sexual and Gender Based Violence
SHIP	Shared Implementation Plan
SRH	Sexual and Reproductive Health
STWSP	South Tarawa Water Supply Project
SW	Social Welfare
TG	Teachers Guides
TTM	Te Toa Matoi
TUC	Tarawa Urban Council
UNDP	United Nations Development Programme

UNESCO	United Nations Educational Scientific and Cultural Organization
UNFPA	United Nations Fund for Population Activities
UNICEF	United Nations International Children's Emergency Fund
UPR	Universal Periodic Review
WB	World Bank
WDD	Women Development Division
WHO	World Health Organization
WRD	Women Resilience to Disaster

I. Introduction and background – UPR in Kiribati

1. Kiribati is located in the central Pacific Ocean which is made up of 33 islands and has a population of 119,438 in 2020 census. The country's low-lying atolls is amongst the most vulnerable nations to climate change on earth. Its goals are to stay, build and resilient to challenges of the extreme weather pattern taking place in our country and globally. The culture and traditional practices are one of the challenge of human rights approach.
2. The Government of Kiribati established the National Mechanism for Implementation Reporting and Follow-up (NMIRF) in July 2014 known as Kiribati National Human Rights Taskforce (KNHRTF) (Refer to Annex 1) under the Ministry of Women Youth Sports and Social Welfare. In 2018 the Human Rights Division was transferred to Ministry of Justice (MOJ), which now serves as the Secretariat of the taskforce and functions according to Term of Reference. All line Ministries are involved in the data collections for various treaties that Kiribati has ratified.
3. The Secretariat is staffed by the Human Rights Division, supervised by the Director of Human Rights with three Human Rights Officers and one Assistant Human Rights Officer. The Chairperson of the taskforce is the Secretary of MOJ while the Deputy Chairperson is from the Ministry of Women Youth Sports and Social Welfare.
4. This is the fourth cycle UPR report submitted by Kiribati on the implementation of recommendations received during the third UPR cycle.
5. Kiribati continues to face challenges in implementing recommendations related to human rights commitments. These challenges include delay in receiving data and updates, limited resources and skills to implement the recommendations, staff turnover and changes in the membership of the KNHRTF, and competing priorities. Kiribati remains reliant on donors' partners for funding external technical expertise to address capacity building gaps for the taskforce members.
6. The Report also provides an update on the implementation of some of the noted recommendations, for instance, the CAT & CRC which had been ratified.

II. Methodology and process for preparing the report

Methodology

7. During the previous UPR cycle, Kiribati received 129 recommendations out of which 89 were supported and 40 were noted while 1 is supported and noted. (Annex 2)
8. Data collection activities included visits to ministries and stakeholders to address information gaps (Annex 3). Individual organizations also submitted their inputs, which was shared with the Taskforce Secretariat, including contributions from non-government organizations (NGOs). This outlines the process for preparing the report and the reporting style.
9. After receiving data from ministries and stakeholders, the Secretariat drafted the first version, which was shared with all members for review and feedback. After incorporating all comments, the Human Rights staff made the necessary amendments. The second draft was then circulated for further validation. The Secretariat also reached out to international partners like the Commonwealth Secretariat for assistance during the drafting process before the final version was validated by the Taskforce members.
10. The Taskforce met five times specifically to prepare this Report. The Secretariat compiled and drafted the report as it went through four stages, (1) sharing the matrix of thematic areas with leading Ministries and supporting Stakeholders, (2) collating data into their thematic areas; (3) sharing the first draft with all taskforce members for review, and (4) validating the final draft by the taskforce members, which was then endorsed for cabinet approval.

11. Once the Secretariat submitted a cabinet paper on the final UPR for approval, the report upon cabinet endorsement, was forwarded through Ministry of Foreign Affairs and Immigration to the UPR Secretariat by the due date.

12. Part III of this document provides actions taken since the previous review for each of the recommendations under the different thematic rights or areas that Kiribati has supported and as prepared by the Kiribati National Human Rights Taskforce, which guided the structure of the report. The thematic rights or areas are presented in A to Y in Part III; each of this has several recommendations reported on in this fourth cycle UPR.

III. Developments since the previous third UPR review

A. Ratification of and accession to international instruments

Recommendation 80.17

13. Kiribati became party to the Rome Statute on 26 November 2019 February. The Statute has yet to be fully aligned with domestic law. However, there is in place an offence of genocide under section 62 of the Penal Code Cap 67, which states that “(1) A person commits the felony of genocide if he commits any of the following acts with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: (a) killing members of the group; (b) causing serious bodily or mental harm to members of the group; (c) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) imposing measures intended to prevent births within the group; (e) forcibly transferring children of the group to another group. (2) A person guilty of the felony of genocide shall on conviction: (a) if the offence consists of the killing of any person, be sentenced to imprisonment for life; (b) in any other case, be liable to imprisonment without the option of a fine for 14 years (section 26 notwithstanding). (3) Proceedings for an offence of genocide shall not be instituted except by or with the consent of the Attorney-General.”

B. Equality and non-discrimination

Recommendation 80.33

14. In Kiribati, protecting employees from discrimination and harassment in the workplace is a critical aspect of labor rights. The legislative framework outlines specific laws aimed at safeguarding individuals from unfair treatment based on race, gender, age, disability, or other characteristics. Under the Kiribati National Disability Policy and Action Plan 2018 to 2021, the Government outlines 11 priority areas for action: (1) ensure all Kiribati legislation complies with and supports the intent of the CRPD. (2) strengthen and support TTM and its affiliated member organizations. (3) improve collection, collation, analysis and use of data in disability related service, program and policy development. (4) make all Kiribati resources available to all community members through improved accessibility to the physical spaces and provision of accessible information. (5) increase community awareness about disability and build individual and systemic advocacy. (6) improve access to quality education and vocational training programs. (7) increase access to employment and income generating activities. (8) develop social protection and poverty alleviation strategies for eligible people with disabilities without income. (9) improve access to quality health care, rehabilitation services and assistive technologies. (10) address the particular disadvantage experienced by women and girls with disabilities. (11) promote disability inclusive development as the shared responsibility of every government and non-government sector.¹

15. A comprehensive definition of discrimination into the National Legal Framework is essential for advancing equality for vulnerable groups in Kiribati. The Kiribati Gender Equality and Women Development Policy 2019–2023 provides a solid foundation for addressing discrimination and promoting gender equality, as outlined in its five key priority areas:

(a) To progressively implement a gender mainstreaming approach to achieve gender equality.

- (b) To improve the economic empowerment of women.
- (c) To support stronger, informed families.
- (d) To improve women's political representation and leadership.
- (e) To eliminate sexual and gender-based violence.

16. The Government views gender equality and women's development as essential tools for addressing economic and social inequalities. It is dedicated to enhancing the livelihoods of all citizens and eliminating discrimination across all sectors by ensuring equal opportunities, human rights, and access to services and justice. This commitment aims to empower everyone to achieve their full potential in economic, political, cultural, and social spheres.²

Recommendations 80.35, 36

17. Kiribati is among the three remaining countries in the Pacific region yet to achieve the World Health Organization (WHO) target of reducing the prevalence of leprosy cases to less than 1 per 10,000 population at the national level. Each year, the leprosy program has detected more than 100 new cases, which gives a prevalence rate of 10 times higher than the WHO elimination target. Active early case detection activities including household contact screening, population screening, school screening, awareness campaigns, and a skin clinic are conducted across the country.³ In the islands, there is a medical team for leprosy who are membered by all village nurses with councilors within the islands of Kiribati. Furthermore, faith base organizations within the community's advocates on leprosy to their community members to be aware of medical assistance from GOK and NGO's⁴. The challenges is shortage of staff and also the delays in funding assistance as it affects the leprosy program according to the schedule set by the implementor's.

C. Human rights and climate change

Recommendation 80.45

18. Office of the Beretitenti Climate Change Disaster Risk Management (CCDRM) as the Secretariat of the Kiribati National Expert Group (KNEG) which is a principal coordinating body for national CCDRM continues to work with national stakeholders to identify climate change and disaster risk management priorities. With these identified priorities, Office of the President, in close collaboration with climate change finance division, works on accessing financial and funding resources to pursue the interest of KNEG priorities. Current national CC policy framework, such as Kiribati Joint Implementation Plan (KJIP) 2019-2028, enhanced NDC 2022, NDC investment plan and NDC roadmap 2021, which already indicated and outlined national priorities of climate change adaptation and mitigation. The coordination of policies also encompasses the coordination and monitoring of implementation of activities to identify gaps. This national coordination mechanism is reflected in the Kiribati CCDRM Act 2019.

Recommendation 80.46

19. Awareness and training workshops on Disaster Risk Management (Disaster preparedness, response and recovery) were conducted with BTC, TUC and KUC including all Islands of Kiribati during the Island Disaster Committee establishment. There were multiple awareness and capacity building exercises that have been conducted to KNEG members, which include Govt Ministries, NGOs, FBOs on DRM arrangements. Another platform that Disaster Risk Management Division (DRMD) within the Office of the Beretitenti (OB) utilizes for public advocacy are the mayors forum, social media like facebook of OB. The objective in using these platforms are to ensure the preparedness of citizens for any disasters that may emerged by climate change effects such as king tides and natural disasters that may occur from time to time and the public are fully aware of what to do in saving their homes and families from climate change effects.

Recommendation 80.47

20. Te Toa Matoa including Women Groups representatives are members of KNEG and thus, are part of the decision-making body for National Climate Change and Disaster Risk Management issues in Kiribati. The Office of Beretitenti (OB), where CCDRM Division were part of the consultation process during the development of the Kiribati National Disability Policy and Action Plan 2022-2025 also incorporated input into the policy that ensures gender responsive and disability inclusive approach to Climate Change and DRM arrangements. KJIP, which serves as the Kiribati Climate Change Policy (KCCP) and DRR implementation plan, incorporated and adopted a "whole of country approach principle" that encompasses gender responsive and disability inclusive approach to all aspects of CC and DRM. The KJIP also aligns with regional and international agreement and frameworks to ensure the commitment of Kiribati to these regional and international arrangement on CC and DRM. During the KJIP review, gender considerations are part of the process and thus KJIP, which serves as the National Adaptation Plan for Kiribati, already integrates gender and social inclusion.

Recommendation 80.48

21. Human rights principles guide all phases of the programming process, including assessment and analysis, planning and design (including setting of goals, objectives and strategies); and implementation, monitoring and evaluation. Among these human rights principles are: universality and inalienability; indivisibility; inter-dependence and inter-relatedness; non-discrimination and equality; participation and inclusion; accountability and the rule of law.

22. As an atoll nation in the Pacific, with an average elevation below 2m, Kiribati faces considerable risk from climate variability and sea-level rise. This includes a potential risk of permanent inundation, as well as environmental degradation, even though the country's overall GHG emissions represent only 0.0002% of global GHG emissions that cause climate change. The Revised NDC puts into perspective sectors and mitigation efforts and planned actions complementary to the 1.5 degree celcius objective goal. The Revised NDC is aligned well with national policies and strategies in place and looks towards low emission development pathways consistent with the Kiribati Vision for 20 years (KV20) and Kiribati Development Plan (KDP).⁵

Recommendation 80.49

23. The Kiribati National Expert Group (KNEG), which will act as a coordination mechanism for climate change and disaster risk management initiatives, ensures holistic, inclusive and strategic approach of all KNEG stakeholders.

24. The strategy outlines clear and targeted communications initiatives aimed to help the government to promote priority actions. It identifies the key messages, channels and tools to reach national and community stakeholders, civil society organizations, agencies and development partners.

25. The Women Resilience to Disaster (WRD) program implemented by the Ministry of Women works with women NGO leaders to implement the activities under the program which aims to build the capacity of women of all diversities to withstand the impact of climate change and disasters.

26. The Ministry coordinates and manages the implementation of WRD by the established Joint Management Steering Committee and Technical Working Group Committee. Members of the two Committees consist of Secretary from key Government agencies and NGO Leaders including the National Disability Council, National Youth Council, and BIMBA, Donor Partners (UN Women, DFAT) for the Joint Management Steering Committee and technical officers from key Government agencies and NGOs for the Technical working group.

27. Consultation has been made with representatives of women's organizations on women's needs assessment and requirements, including challenges they faced in recent disasters, e.g., COVID-19.

28. Through this project, IEC materials on gender prevention, preparedness, and recovery have been developed that will help women of all diversities build their resilience against climate change impacts and disasters.

29. As a way forward, it is anticipated that training will be rolled out to affected women's communities on both South Tarawa and Outer islands.

Recommendations 80.50, 51

30. Climate Finance Division (CFD) under MFED is the core member of the KNEG. KNEG. The secretariat to KNEG is the Office of the Beretitenti (OB) and work with CFD in securing pipeline projects that are related to climate change effects to Kiribati such as sea level rise, erosion and agricultural irrigation as the core issues of KNEG members to address. As this process is still ongoing as bilateral meetings, KNEG meetings and funding assistance requests are still ongoing.

Recommendation 80.52

31. The DRMCC Act 2019 Principles, provision 6 (h,i), enforced the participation and empowerment, including prioritizing vulnerable groups and ensuring that no one is left behind, including the "Rights and Global standards should be adhered to as far as possible or applicable, including human rights principles such as equality and non-discrimination.

Recommendation 80.53

32. OB in close collaboration with NGO partners have recently initiated the work on community-based disaster risk management program. Part of these community-based programs is developing training manual which will serve as a guiding document for all community-based programs on DRM and CC. In this manual, national CCDRM stakeholders and partners will be trained on how to do work with communities in conducting participatory risk and vulnerability assessment and action planning development, to understand what is climate smart and inclusive community-based disaster risk management, awareness on early warning system, developing culture of resilience and so forth.

Recommendation 80.128

33. Women and Children including people with disabilities are at the forefront of Kiribati's CC and DRM policies which is also reflected in the Climate Change Policy, KJIP and DRMCC Act and Regulation to ensure a "Whole of Country Approach" principle leaving no one behind. The CCDRM Division continue to work with MOE and MWYSSA through multiple programs and activities such as the development of the MOE Guideline for National Education Sector Contingency Plan, Women Resilience to Disasters Program etc. to ensure that the needs of women and children including people with vulnerabilities are incorporated in the designing and implementation phase to combat CC and enhance resilience from disaster risks.

D. Freedom of opinion and expression and access to information

Recommendation 80.59

34. Section 3 of the Kiribati Constitution listed the freedom of expression as one of the fundamental rights and freedom of the individual. Section 12 elaborates this provision by stating that a person shall not be hindered in the enjoyment of his right to expression, and this includes holding opinions, receiving ideas and information, communicating ideas and information and corresponding, all without interference. Although the provision is that such rights may be suspended for public interest and safety and if the information is restricted under employment conditions, it is stated further under section 12(2) that the suspension of freedom must be reasonably justifiable in a democratic society. As the paramount law, these constitutional provisions impose the legal requirement to support and encourage the media and journalism in Kiribati while fostering standards that uphold ethical reporting and accuracy, fairness, and impartiality within the news industry. The government continues to

be opened to the assistance of independent regulatory bodies because they aid in monitoring media practices, ensuring compliance, and addressing grievances related to journalistic conduct. Additionally, the Ministry of Information and Communication & Transport (MICT) is enhancing development work on domestic laws on freedom of expression with United Nations Educational, Scientific and Cultural Organization (UNESCO).

E. Scope of international obligations

Recommendations 80.3, 4, 5, 6, 7, 8, 9, 10, 11

35. The Government takes note of these recommendations, as Kiribati National Human Rights Taskforce had considered to work on the accession of this treaty, however the only issue that Kiribati is noting these recommendations is based on the available resources within the Ministry of Justice in the Human Rights Division.

Recommendation 80.13

36. Kiribati is noting this treaty in the next review as subject to the resources available.

Recommendation 80.14

37. Kiribati has ratified this treaty on the 17 March 2004.

F. National Mechanisms for Reporting and Follow-ups (NMIRF)

Recommendation 80.26

38. Kiribati National Human Rights Taskforce (KNHRT) was established in July 2014 under the Ministry of Women Youth Sports and Social Welfare. In a transit period, it moved to the new Ministry of Justice in 2018. The Human Rights Division (HRD) has been restructured to increase its capacity and has now 5 staff directly supervised by a Director of HRD. The Taskforce is comprised mainly of government officials. The Taskforce plays the significant roles of coordination, monitoring, evaluation and reporting on various human rights conventions.

Recommendation 80.27

39. The Kiribati National Human Rights Taskforce is working with the Human Rights and Social Development in developing a tool which is proposed to be called Kiridata, where it will look into all areas of Sustainable Development Goals with the Kiribati Development Plan 2020 to 2030 and Kiribati Version of 20 years with state obligations of the commitment on UPR recommendations. This is now undergoing from last year 2024 and expected to be tested in the end of 2025. This system will also centralize all data of the Government with their Strategic Plans aligning with the state's regional and international obligations, especially on Human Rights Reporting Mechanism.

G. Human trafficking and contemporary forms of slavery

Recommendation 80.55

40. The Kiribati Police Service, in partnership with Immigration and Customs, has been diligently addressing transnational crime activities. The Police have confirmed that there have been no offenses involving the trafficking of young women in the past decade. The Ministry of Women, Youth, Sport, and Social Affairs is tasked with child welfare and has developed programs through Social Welfare (SW) to enforce laws and regulations that prevent child labour and slavery, including sexual abuse of children on fishing vessels. These programs include raising public awareness about all forms of abuse, police protection, shelter and helpline for children and women who were abused. It is an on-going program and roll out to communities in South Tarawa and the outer islands, extending to Line and Phoenix islands. To expand their service and program to Outer islands, they stationed Assistance

Social Welfare Officers in every island to assist cases existing on the island. Additionally, the Ministry of Employment and Human Resource has established a child labour task force/working group dedicated to eradicating child labour in Kiribati. Social Welfare manages a government social benefit for unemployed individuals, known as the Support Fund for Unemployed, which was officially implemented in 2021. This fund also contributes to preventing child slavery.

H. Rights related to marriage and family

Recommendation 80.60

41. The “*Yes I do*” program initiated by the social welfare division existed under the Ministry of Women Youth Sport and Social Affairs in July 2018. In 2022, the coordination body renamed the program to “*Young Couple*” after it narrowed the focus to young couples only in line with the development purpose of the programme and adjusted the eligibility age to 18–30. The program’s objectives include: understanding the roles and responsibilities of young couples as the foundation of the family and how their life situations can improve; providing a social service mechanism to address family issues; engaging young couples in child protection and promoting best practices in child upbringing; equipping young couples with innovative activities to support their families. The program also stipulates that anyone under the age of 18 is considered a child, and any marriage involving a person under 18 is void. The legal age for marriage is 21. The program is now rolling on to outer island.

I. Rights to social security

Recommendations 80.61, 62

42. Kiribati continues to have one of the most comprehensive social protection systems in the Pacific, while the reforms that have taken place since 2020 have been among the most ambitious anywhere in the world. The Social Protection programming in Kiribati has been designed with three distinct features – programming follows a life cycle approach, is universal and programs complement each other. The Kiribati Development Plan 2020-2023 identified the strengthening of Kiribati’s social protection programmes as a key to achieving inclusive prosperity for I-Kiribati people and realisation of the Kiribati Vision 20 (KV20) ambitions for a wealthy, healthy and peaceful nation. In line with this commitment, the Te Mwane ni Kara Act 2020 (and associated amendment Act of 2021) created an entitlement for I-Kiribati citizens aged 60 years and above to a fortnightly Senior Citizens’ Allowance (SCA). In July 2020, the cabinet of Kiribati also adopted the Policy and Guidelines for the Support Fund for the Unemployed (SFU) which established an entitlement to a monthly benefit for certain individuals lacking employment.

43. Affirming the Government’s commitment to obligations under the Convention on the Rights of Persons with Disabilities (CRPD) that Kiribati ratified in 2013, financial support is provided to improve the standard of living of persons with disabilities. Implemented through the Kiribati National Policy on Disability and Action Plan 2018-2021 and endorsed in 2018. Social protection benefits are currently being provided to 68200 citizens across Kiribati at a cost of 28 million in 2024. Benefits are provided on a monthly or quarterly basis according to the benefit type. There are three target groups receiving support, senior citizens (9300), persons with disabilities (3900) and the unemployed (55000). As part of budget support for the Economic Reform program and COVID19 response package, DFAT provided \$3m 9 of financing to leverage its contribution toward the delivery of Kiribati’s social protection reform. Analysis conducted by the UN has shown that, in 2020, these programmes might have been expected to deliver up to a 75% reduction in poverty.

J. Safe drinking water and sanitation

Recommendation 80.63

44. To support improved access to sanitation in the outer islands, MISE are developing “standard designs for household toilet cesspits” and supporting guidance for the outer islands, to allow for more people without access to toilets to install these systems and use them effectively. These would be for single dwellings to provide options for those people not in more populated areas where a larger communal toilet system might be more appropriate. If this can provide improved access to good sanitation at the household level, this can reduce alternative practices such as open defecation and its associated health risks.

45. Sanitation pilot is a small component of STWSP funded by WB, and currently, STSP is taking the lead with implementation. The activity consists of 2 major sub-activities, 1 Design and Building of 16 Sanitation design options in Abarao. This sub-activity timeline is for 1 year and is anticipated to go out for tender by the 1st quarter of this year. The award contract will run for 9 months, finishing at the end of 2025. The 2nd sub-activity involves hiring a consulting firm/institute to conduct the M&E services for the 16 sanitation systems scheduled to run for 3 years. The M&E services are scheduled to run in parallel with the Design Build civil works. Under the GOK as part of the water and sanitation project, the construction of desalination plants had been completed in South Tarawa and Betio Council.

K. Rights to health

Recommendation 80.54

46. Through the climate change and Health Projects supported by KOICA and GEF, both will assist in the procurement of necessary medical equipment, medications and supplies particularly for the targeted islands. The idea was to have enough medications and supplies available in each of the targeted facilities at times of emergencies. Through WHO support, the KIRIMAT will be established as a response team to emergency situations across Kiribati, especially in the outer islands, building on what was established or introduced during the COVID-19 pandemic.

47. The Ministry of Health through EHU has also been part of the disaster responses team in the past years to the island and communities affected on South Tarawa because of extreme weather events whereby the team provides awareness on water treatment measures as well as providing Aquatabs with containers to those that are highly being affected in the community. The draft of the Kiribati Public Health Emergency and Responses Plan (PHERP) is in place and the finalization of this document has been included under the NEHCCHAP to guide further the MHMS on how the responses will be done during the emergency and disasters.

Recommendation 80.64

48. The RMNCAH program, which stands for Reproductive, Maternal, Newborn, Child, and Adolescent Health, focuses on improving health outcomes for these key population groups. It aims to ensure comprehensive healthcare services are accessible, promoting health and well-being from pregnancy through adolescence.

49. Key components of RMNCAH include: 1. Reproductive Health: Providing education and services related to family planning, contraception, and reproductive rights; 2. Maternal Health: Improving prenatal care, skilled attendance at birth, and postnatal care to reduce maternal mortality and improve outcomes; 3. Newborn Health: Ensuring proper care for newborns, including immunizations and interventions for common health issues; 4. Child Health: Promoting vaccinations, nutrition, and overall health services for children; 5. Adolescent Health: Addressing the unique health needs of adolescents, including mental health, sexual health education, and substance abuse prevention.

Recommendations 80.65, 66

50. Developing a Health Supportive and Strengthening Program, along with guidelines for sub-national and facility planning and budgeting of Primary Health Care (PHC) services,

involves a systematic approach. Here's a structured outline to guide the process: Health Supportive and Strengthening Program; 1. Assessment and Analysis, Conduct a comprehensive assessment of current PHC services, identifying gaps in service delivery, infrastructure, and human resources, Analyse health data to understand the specific needs of different populations, including children, women, and the elderly. 2. Stakeholder Engagement Involve local communities, healthcare workers, and government agencies in the planning process to ensure that the program is tailored to actual needs. Facilitate workshops and forums to gather input and foster collaboration among stakeholders. 3. Capacity Building Implement training programs for healthcare providers on best practices in PHC, including patient-centred care, disease prevention, and health promotion. Strengthen the management and administrative skills of health facility leaders.

51. Under the Ministry of Health and Medical Services (MHMS) there were development Guidelines for GOK Budget are as follows; 1. Framework Establishment Create a clear framework that outlines the roles and responsibilities of sub-national health authorities in planning and budgeting for PHC services. Ensure alignment with national health policies and priorities. 2. Resource Allocation Develop guidelines for equitable allocation of resources, considering demographic data, health needs, and existing service coverage in various regions. Establish criteria for prioritizing budget allocations to areas with the greatest need. 3. Budgeting Process Create standardized budgeting templates and processes for health facilities to ensure consistency and transparency in financial planning. Provide training on budget management and financial accountability for health facility managers. 4. Monitoring and Evaluation Establish indicators to measure the effectiveness of planning and budgeting processes in improving PHC services. Implement regular reviews and audits to assess budget performance and ensure funds are utilized efficiently.

L. Sexual and reproductive health and rights

Recommendation 80.70

52. The Development of Flexible Learning Education (FLE) carrier subjects for Year 12 has now been completed as of 2024. FLE is implemented into Health and PE (Personal Hygiene and sport, sexual health reproductive), moral Education (Human rights, relationships, consent), Social science (civic – government, right to vote, democracy, parliamentary, demographics. For 2025, Curriculum Development Officers (CDOs) will begin developing the Teacher Guides (TGs) for Term 1, 2 and 3. CDOs are developing to complete the Teacher Guide for Term 1, as this will be used during the trial phase 2026. Feedback from the trial of Term 1 TG will be incorporated to improve the Teacher Guides for Term 2 and 3. (The proposed deadline for Term 1 TG is early in Quarter 2, with trialing of the Year 12 TGs scheduled to be completed by the end of Quarter 2). There are plans that the trial will take place at the following islands: Kiritimati, Tabiteuea North and Abemama for the Year 12 Teacher Guide. The review of the Year 6 curriculum will take place in Quarter 1 & 2. The review of the FLE carrier subjects for Years 7 to 9 has not yet been finalized. The plan to expand FLE curriculum to special schools and others below the Year 6 level will be further considered by the Ministry.

Recommendations 80.71, 72, 73, 82, 83, 84

53. MHMS increased resources of new standardized equipment to reduce the risks of infections during childbirth for women and newborns. Through its external partners, facilities and wards were built as to ensure it provides accessible health care to women and young generation. Under its policy for 2021-2025, the MHMS made a commitment in their Strategic Plans to cater for strong and effective measures of future and sexual reproductive maternal and newborn health. The MHMS comprehensive progress implements Sexual and Reproductive Health (SRH) initiative, which aligns with Sustainable Development Goals on health. MHMS Sector Strategic Plan 2024-2027 is now being formulated as it comprises of improving challenges related to adolescent birth rate, as the statistics show that the current population of Kiribati is 124,000 and expected to increase by 45% by 2050 reaching close to 182,000. Starting from the RMNCAH Policy, these new policy guidelines and protocols serve as a crucial guidepost and offer practical guidance to health officials for their day-to-

day planning, coordination, implementation, monitoring, and data management of life-saving maternal and newborn care, family planning, adolescent health, cervical cancer, sexually transmitted infections including HIV, as well as the health sector response to sexual and gender-based violence.

54. MHMS ensures universal access to sexual and reproductive health incorporated in the National Development Plan for 2021-2025 under the United Nation Population Fund (UNFPA). The SDG framework is part of the Strategic Plan of health, to ensure that barriers on human rights-based dimensions of sexual and reproductive health met the target of 5.6. The target is measured by two indicators SDG indicator 5.6.1 and 5.6.2 for which UNFPA is custodian, measures the legal and regulatory framework for sexual and reproductive health and reproductive rights, with SDG 5.6.2 reflecting the extent to which prevailing laws enable or disable women's and men's full and equal access to this health and rights, while SDG 5.6.1 reflects whether women, irrespective of the legal framework, are able to decide on their sexual and reproductive health and reproductive rights. This allows a complimentary examination of whether MHMS has positive enabling legal and normative framework which was part of the Strategic and UNFPA guidelines on projects that are funded for MHMS.

Recommendations 80.74, 75, 76, 77, 78

55. The National Curriculum Board has a responsibility to advise the Secretary for Education about the curriculum content, standards and examinations within the national education system. The reproductive health is also taught as the health subject in year 7 to year 13 as part of their science subject and also part of their self-awareness on their own individual parts of their bodies. MHMS advocates for reproductive health through program of reproductive, maternal, newborn, child and adolescent health (RMNCAH).

56. FLE is a recently introduced curriculum, fairly new to our culture in Kiribati. For this reason, the local FLE team needs on-the-ground training on how to deliver FLE to students. Technical Assistants are needed to train the new outputs from the Kiribati Teacher's College (KTC). Technical assistance on training for teaching FLE sensitive topics is led by the Kiribati Teacher's College and is currently ongoing. KTC provides assistance in conducting trainings using curriculum resources that are being developed by the CDOs in collaboration with Family Planning Australia to ensure they are relevant and appropriate to our specific context. FLE is being delivered from years 7–11 in all schools. The report of number of students reached with FLE in schools is as follows: 2023 – Grades 7 to 10, 9,474 students, whereas, in 2024, an approximate of 11,000 students (grades 7 to 11) reached.

57. Progress on the development of pre-in-service FLE teachers training is that KTC plans to do follow-up in-service training for school teachers reaching 100% of primary JSS and SSS teachers in northern islands in 2025.

Recommendation 80.80

58. FLE team has completed the consultations for the FLE program after the completion of the syllabus in the outer islands including Abaiang, Abemama, North Tarawa, Tab North, Beru and Kiritimati. These consultations took place in communities and schools. Providing training for educators as well as pre-service teachers using curriculum prepared by the curriculum development resources centre (CDRC) is the support to ensuring the sustainability and successful implementation of the program, which is facilitated by the Kiribati Teacher's College and guided through the support from the Family Planning Australia.

Recommendation 80.81

59. As regards developing curricula that address comprehensive sexuality education and ensuring that the education covers all necessary topics related to sexual health, gender, consent, and healthy relationships, steps taken to develop comprehensive sexuality education programs involve creating appropriate and culturally sensitive materials, training teachers, and engaging communities (advocacy of FLE program) to ensure effective and inclusive sexual and reproductive health education. (CDRC).

60. The existing courses that have integrated FLE contents are Moral Education and Physical Health Education. The FLE topic “consent” is included in both the Moral Education and Health and PE curricula for Years 10 and 11, as well as providing steps in how to use protection and other contraceptive methods, allowing these students to become aware of appropriate sexual rights.

M. Rights to education

Recommendations 80.85, 86

61. The Education Act 2014 which has been approved by parliament, clearly states the rights of the child to access Free Education. Sections under the Education Act 2013: Section 7 (a), (b) and Section 11 (1), (2) outlines the compulsory school age from 6 years to 15 years (equivalent to Year 1–Year 9) where students at these aged groups must be enrolled or admitted in their year level schools. Under Section 15 (compulsory attendance obligation of parents), parents whose children fall under the Year 1–9 age groups must enroll their children and ensure that their children go to school. If found to neglect their duties as parents, they are liable to be fined or sentenced in court.

62. MOE maintains the review of its Acts and Policies, including the Education Sector Strategic Plan in order to comply with changes based on the needs of a child from time to time. For instance, the amendment of the Education Act in 2016 extended the Free Education to Form 4–6, review of its Education Sector Strategic Plan (ESSP) every 4 years, ensuring that no child is left behind without education. Every child from Year 1 in Primary School to Form 6 in the Senior Secondary School is enrolled in school without parents paying for tuition. Students from Year 1 to Year 9 are also provided with school stationery every year. The majority of students who are under the GOK scholarship is more than 1,350 student per year for scholarship awards beside those students who are sponsored by other States like Ausaid and NZaid scholarships. Recently, the Parliament has endorsed that student who could go on to do their higher qualification because of their excellent grades after completing their first degree. Then it was passed in the recent parliament this year to allow student to continue their studies not returning first to serve their bonds. This is new way forward for the education system, where they encourage young people to achieve as high education as Masters and Doctorate in various areas of discipline in any Universities they are admitted to.

N. Sexual and other forms of gender-based violence

Recommendations 80.105, 106, 108

63. The Government of Kiribati developed a National Approach to Eliminating Sexual and Gender-based Violence in Kiribati as aligned in the Policy and Strategic Action Plan for 2011 to 2021.⁶ The National Policy sets priorities for the five thematic areas of strategic focus which includes:

- (a) Develop National Leadership and Commitments to Eliminate Sexual and Gender Based Violence.
- (b) Strengthen Legal frameworks, Law enforcement and the Justice system.
- (c) Build Institutional and Community Capacity.
- (d) Strengthen & Improve Preventive, Protective, Social and Support services.
- (e) Eliminate and Prevent Sexual and Gender Based Violence through Civic Engagement and Advocacy.

64. Social welfare through MWYSSA developed the child protection referral pathway (CPRP) aligned with the Children Young People and Family Welfare Act 2013. The ultimate goal is to guide the range of social service providers in child protection measures and mandate them to report all child protection cases to social welfare division. The CPRP was approved by the Government on June 17, 2021 and rollout began in 2023 with the goal to reach every community and key stakeholders in the country including FBOs. To date, more than 80

community sessions have been conducted reaching over 4,500 people. Presentation was also conducted during SFU payments in 2023.

65. The programs of ongoing activities are reflected under the MWYSSA ministry strategic plan and the social welfare's divisional operational plan 2025. The positive parenting is a community development program where communities are visited and educated on the best child-rearing practices, while the young couple program, on the other hand, focuses more on family issues attempting to eliminate violence and protecting the most vulnerable in the family. So far, the positive parenting program covers almost 40% of the entire nation, whereas the young couple is 10%.

66. National Approach to Eliminating Sexual and Gender Based Violence Action Plan aims at improving access to essential services for violence survivor. Under the MWYSSA, the Safenet was created as the pathway for violence against women and girls as the safe house for any women. The Family Peace Act plays a key role for redress for women who are abused and battered by their immediate partners or spouses. Shelters are provided by Police Services in the Country, where the police is authorized in the Family Peace Act to issue Protection Safety Order at any time required by the victim.⁷ The Shared Implementation Plan (SHIP) for the Eliminating Sexual and Gender Based Violence (ESGBV) Policy and National Action Plan (NAP) 2011-2021 are to respond to Gender Based Violence (GBV). MWYSSA has extended ESGBV and Elimination of Violence Against Women and Girls (EVAWG) work from promoting awareness raising, in providing quality and accessible GBV services and primary prevention. The villages were also providing shelters for abused women and girls as they cooperatively work with Police in the outer islands and members of the faith base organizations.⁸

Recommendations 80.109, 110, 111

67. MWYSSA with its stakeholders is fully addressing gender-based violence in having proper legislations like the Family Peace Act in place to advocate for the rights of, women and girls with members of the household. The faith-based organization advocates this genderbased violence to their members together with communities. Throughout the country, external partners came to play a role for funding assistance to support National Action Plan for 2011 to 2021 to strengthen the protection of women and girls not only in legislation but with the cultural settings as well such as advocacy by stakeholders.

68. Key accomplishments include the establishment of the ESGBV National Task Force, comprising senior officials from key ministries such as Health, Education, Police, Judiciary, and the Attorney General's Office. This task force oversees the implementation of the ESGBV Policy.

Recommendations 80.112, 113, 114, 115, 116

69. In addition, the Government of Kiribati (GOK) has also developed or is drafting the following policies, plans and legislations to address SGBV: National Policy and Action Plan to Eliminate, Sexual and Gender Based Violence 2011-2021; Government's Policy Statement for 2012-2015; the Children, Young People and Family Welfare Policy; A draft Gender Access and Equality Policy and Implementation Plan 2013-2016; A Whole of Government Gender Equality and Women's Development Policy; Penal Code 1965; Children, Young People and Family Welfare Act 2013; and Kiribati Te Rau N Te Mwenga (Family Peace) Act 2014. The Government of Kiribati's Shared, Implementation Plan (SHIP) is a document that seeks to advance the efforts to eliminate sexual and gender-based violence in Kiribati. The SHIP was designed to commence in January 2014 and end in 2018. It was further anticipated that the SHIP will have a second phase from January 2018 until December 2021, to coincide with the lifespan of the Kiribati National Plan. The SHIP was designed following extensive preparatory work and consultations with government, civil society, communities, development stakeholders and faith-based organizations.

70. The SHIR has been drafted to be owned by and implemented by the Government of Kiribati. One of the central aims of the SHIP is to coordinate the various efforts and outputs of the Government of Kiribati and development partners to eliminate sexual and gender-based violence. It also contains activities and outputs related to early intervention, awareness

raising, community education and support services for victims and survivors of sexual and gender-based violence. This Implementation Plan for the FPA has been designed to complement the activities contained within the SHIP as well as to meet the requirements of the FPA.⁹

71. The Family Peace Act is being implemented by MWYSSA and MOJ with an annual budget from GOK of \$70,000.00 not counting the contribution of the CSO. The two Ministries found this cost to be insufficient in terms of the vast spreading of Kiribati islands, where it needs further external partners to contribute also to the promotion of Family Peace Act within Kiribati jurisdiction.

O. Discrimination against women

Recommendations 80.92, 100

72. The Women Development Division (WDD) within MWYSSA continues efforts to promote gender equality with the Ministry of Justice (MOJ) within the Human Right Division (HRD) and external partners in contributing their funding supports such as UN Women for ensuring well Strategic plan 2020 to 2023, advocating the gender equality within the employment sectors, and implementing CEDAW with their stakeholders such as Civil Society called Aia Maea Ainen Kiribati (AMAK) in conducting economic empowerment training for women throughout the country. In addition, faith-based organizations further engage in ensuring their balance of equal leadership within their denominations to achieve gender balance of quality. In the HRD, the strategic plan for 2020 to 2030 is to advance gender equality by having equal recognition by law and equal opportunities in any kind of schemes or employment as non-discrimination is the key message shared in all of their advocacy program in the country. This has been going on for the last seven years with funding support from the State and Human Rights and Social Development within South Pacific Communities (SPC) and UNICEF. In addition, the Kiribati Government through MWYSSA has launched its Kiribati Standard Operating Procedures for Gender-Based Violence Response, in partnership with the SafeNet network of government and non-government frontline service providers and UN Women.

P. Participation of women in political and public life

Recommendations 80.87, 117

73. In regards to enhancing the participation of women in community resilience, political leadership as well as in productive employment (recommendation 80.87), one of the Women Divisions Project is the Women Resilience to Disaster Project, which enhances the participation of women in community resilience and prepares them to withstand the impact of climate change and disaster. As for taking concrete measures to encourage women's political leadership as well as increase the representation of women in parliament, noting that there are currently only three seats held by women and that none are part of cabinet (recommendation 80.117), GEWD Policy has been endorsed and an implementation plan will be developed with support of DFAT. The Policy has 5 key priority areas, one of which is Increasing Women's Participation in Leadership. Promotion of women participation in decision making is also being addressed through the Women (Mock) Parliament with financial support from UNDP and DFAT in October 2019 hosted by House of Parliament.

Q. Violence against women

Recommendation 80.90

74. Awareness raising has been ongoing at urban and outer islands educating the public on what child abuse is and to report immediately to Social Welfare Office in Tarawa and Outer islands. Awareness-raising activities were also carried out at school for children to recognize and understand all forms of violence against them. Roll Out on Child Protection Referral Pathway has been done to most of the outer islands and some Ministries on South

Tarawa. Perpetrators are being dealt with under the Criminal Procedure Code. For improvement of access to Justice, the Justice Sector anticipated elaboration of court procedures for handling of children in criminal proceedings (child victims, child witness, child offenders) and civil proceedings (care and protection, alternative care custody/maintenance, rehabilitation services specializing in children), training in handling vulnerable children including children with disabilities within the judicial system, training of justice personnel on child protection and handling of children's cases in accordance with CYPFWA, with integration of module in in-service and pre-service training.

Recommendations 80.101, 102, 103, 104, 107

75. The Te Rau N Te Mwenga Act (Family Peace Act), enacted in 2014, was developed in response to high rates of violence against women and girls in Kiribati. Aligned with CEDAW principles, the Act provides a legal framework addressing domestic violence and introduces protection orders and police safety orders to safeguard survivors. It also defines and protects against physical, sexual, psychological, and economic violence while promoting public awareness and education to prevent violence. However, recognizing gaps in addressing issues such as trafficking, stalking, and sexual harassment, the Act is currently in the plan of review to ensure comprehensive coverage and alignment with national and international standards.

76. As part of Strategic Area 2 of the National Approach to Eliminating Sexual and Gender-Based Violence Policy (2011-2021), the Act seeks to eliminate GBV through robust protection mechanisms and support services.

77. It is closely aligned with the KV20 Development Blueprint under Pillar 2 for Peace and Security, emphasizing the critical role of gender equality in fostering national peace and economic development. The government is focused on enhancing the Act's effectiveness by revising definitions, addressing economic abuse, and strengthening evidentiary support for survivors, especially for those with disabilities, ensuring the Act remains responsive to emerging challenges.

78. The Kiribati Development Plan (2021-2024) prioritizes GBV reduction through improved support services, public awareness, and enhanced access to justice. By obligating institutions like SAFENET and NGOs to report data and support survivors, the Act reinforces a whole-of-society approach. Education campaigns are vital to shifting societal attitudes, empowering survivors, and promoting collective responsibility to end GBV. The planned amendments aim to reinforce criminal procedures, expand police powers, and ensure survivors have access to robust legal safeguards, including comprehensive protection and civil orders, creating a safer and more equitable environment for all.

79. Currently, the Work Relations Unit, a unit under the Labour Division within the Ministry of Employment and Human Resource is currently carrying out labour inspections to all employers (government and private sectors) on child labour. It has also raised awareness of the public (to Employers and Trade Unions on Tarawa and outer islands that have been visited by the Ministry of Employment and Human Resource (MEHR) through outreach programs) on child labour and convictions if they are found to non-comply. It has also established a Child Labour Taskforce/Working Group with the goal to eradicate child labour in Kiribati. The Employment and Industrial Relations Code already has provisions to eliminate or prohibit sexual exploitation and child labor. Section 115 sets out the Minimum Age for Employment, in which employers shall not employ or engage a child under the age 15 (2021 EIRC amendment) to perform work in any capacity, except light as prescribed by Section 116. A person who contravenes this section, or any orders or regulations in force under this section, commits an offence and shall be liable to conviction to a fine of \$1000 in Australian currency or a term of imprisonment of 12 months or both. Section 116 sets out minimum age for light work that is unlikely to be harmful to the health and development of the child and shall not prejudice the child's ability to benefit from schooling or vocational training. Section 117 stipulates the minimum age for hazardous work. Hazardous work is a work that, by nature or the circumstances under which it is carried out, is likely to jeopardize a child's health, safety or morals.

80. A person who contravenes this section commits an offence and shall be liable on conviction to a fine of \$1000 (AUD) or a term of imprisonment of 12 months, or both. Section 118 prohibits the worst forms of child labour other than hazardous work such as engagement of any child in all forms of slavery or practices similar to slavery, sale or trafficking of children, debt bondage and serfdom, forced or compulsory labour, compulsory recruitment of children for use in armed conflict, use, procuring or offering of a child for prostitution and for the production of pornography or pornographic performances, use of child for illicit activities and for the production or trafficking of illegal drugs.

R. Persons with disabilities; definition, general principles

Recommendations 80.127, 129

81. The MWYSSA had created Kiribati National Policy for Disabilities 2018 to 2021, which administer the disabilities rights together with the CRPD advocacy in the country. Partners like MOJ also play a role in advocating and streamlining the existing laws that had been reviewed by their stakeholders. The “Te Toa Matao” (TTM) is the national body run by disabilities and representing people with disabilities in Kiribati. It also operates as a mother organization for small organizations of TTM. Government support TTM activities with external partners like DFAT with other external partners like UNICEF and New Zealand and Government of the People’s Republic of China. The key assistance provided to TTM is capacity building for disabilities on skills jobs with upskilling their current level of education to self-employment like sewing and agricultural skills.

82. The Training of Trainers workshop on Kiribati CRPD legislative Review was completed in February 2024. Its objective was to audit all legislations and to draw a new draft legislation of the CRPD that will fully comply with CRPD articles. The MWYSSA is working closely with the legal team from Economic and Social Commission for Asia and the Pacific (ESCAP).

S. Persons with disabilities; independence; inclusion

Recommendation 80.126

83. The Government of Kiribati (GoK) has demonstrated its commitment to supporting citizens with disabilities through various initiatives, including the adoption of the Kiribati National Disability Policy (KNDP) 2018-2021 and accession to the CRPD in 2013. These efforts recognize individuals with disabilities as equal stakeholders and emphasize their rights as citizens. Under the KNDP, the government seeks to strengthen Te Toa Matao activities, provide skills training, and allocate funding to address the basic needs of individuals with disabilities while ensuring their inclusion in governmental decision-making. Technical assistance is also made available to meet their specific needs. Additionally, legislation requires all government and faith-based buildings to include pathways for individuals with disabilities to promote accessibility. These initiatives align with the GoK’s inclusive development efforts, as outlined in the 2016 Motinnano and KV20, providing a framework to guide stakeholders in implementing the CRPD effectively.

84. The Government is currently reviewing the Kiribati National Disability Policy (KNDP) 2018-2021 to assess its effectiveness in addressing the needs of individuals with disabilities. This review aims to evaluate the progress made in achieving its objectives, such as enhancing accessibility, providing skills training, and including persons with disabilities in decision-making processes. It also examines how well the policy aligns with the principles of CRPD and the Government of Kiribati’s broader inclusive development goals outlined in the Motinnano and KV20. Through this review, the Government aims to identify areas for improvement and ensure continued support for an inclusive and equitable society.

T. Children; definition; general principles and protection

Recommendation 80.125

85. The Penal Code Cap 67 of Kiribati states that teachers, parents and other person of 18 years who has a custody has the right to administer reasonable punishment to children. So far, the change to this subsection was done under the Education Act 2013 which deleted “teacher” from the list of people allowed to administer reasonable punishment. A more recent amendment is the Early Childhood Care and Education Act 2017 which prohibits harassment and corporal punishment to children at early childhood schools. As far as legislative reform is concerned, the main concern in the recommendation (s226(4)) remains a law and that administration of reasonable punishment is still legal or allowed by parents and custodians/guardians. It is evident that administering reasonable physical discipline directed by a parent, guardian, or someone in charge of the family affairs is culturally accepted. On the ground, the Social Welfare Division works tirelessly to combat the issue through its positive parenting program by promoting the authoritative style of parenting and educating communities on the impacts of opting physical discipline. Further, a plan to review a Children Young People and Family Welfare Act 2013 is underway ensuring reasonable physical discipline is addressed.

86. Under Early Child Care Education Act 2017, section 48 (3) stipulates that any early childcare education, preschool provider or staff engaged or employed in the service, who harasses or uses corporal punishment to a child commits an offence and shall be liable to a fine not exceeding \$1000. In practice, this law is also considered in other process like criminal code, for officers who are actually using reasonable punishment, although it does not mean that corporal punishment is applicable in this context. The corporal punishment has not been used in any setting of the Government institution after this Act has been enacted. MWYSSA through the Social Welfare Division developed the standards and procedures

U. Children; protection against exploitation

Recommendations 80.118, 120, 121, 123, 124

87. The Ministry of Employment and Human Resource (MEHR) under its division of Work relation regulate the rights of women and children not to be abused in the work place and their own society. Protection of child labor is paramount in the Industrial Relation Code 2015. In 2021, the MEHR started its outreach awareness program to outer-islands in which, the Work Relations have also raised awareness on children’s right to work and prohibition of child labour and the penalty for non-compliance. To date, MEHR has carried out labour law awareness.

V. Scope of international obligation

Recommendations 80.3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14

88. Kiribati had recently ratified the Convention Against Torture, which makes four out of nine conventions to be ratified, namely the Convention on the Elimination of All Forms of Discrimination Against Women, Convention on the Right of the Child, Convention on the Rights of Person with Disabilities and the Convention Against Torture. The State is very committed in accomplishing its obligation under these four conventions with an on-going support from Human Rights and Social Development (SPC), OHCHR, UN Agencies such UNICEF, UN WOMEN and many other regional and international organizations.

89. As with most Pacific Island states, Kiribati has not ratified most of the International Conventions, including the two covenants. Full implementation is an ongoing and progressive process, delayed principally by resource and capacity constraints, amongst other factors. However, efforts are in progress to align national laws with all ratified conventions and to ensure that the state is fully compliant with its international obligations despite resources and financial constraints.

W. Cooperate with human rights mechanisms and requests for technical assistance

Recommendation 80.25

90. Cooperation with United Nations agencies, such as Office of the High Commissioner based in Fiji, where National Human Rights Institution Scoping Study had been done with the support of her staff and co-funding on this activity together with the Human Rights and Social Development who were partners on this process with Asia Pacific Forum. With capacity training OHCHR based in Fiji also coordinates training for the Pacific Islands on the UNCAT reporting, as Kiribati is the first State in the Pacific Region to submit this report in 2024 and had been reviewed. In addition capacity building to the Human Rights Council training has been funded by the Human Rights Council under the SIDS/LDCs, as several of our staff had attended this training for last year and 2019.

X. National mechanisms for reporting and follow-up

Recommendations 80.26, 27

91. Kiribati National Human Rights Taskforce is a Human Rights mechanism that was established on the 3rd July, 2014 by an instrument from Cabinet. This taskforce acts as an advisory body to the Government on the ratified human rights treaties.

Y. Advance of women

Recommendations 80.88, 89

92. The Gender Equality and Women's Development Policy and the Family Peace Act are currently in the process of being reviewed. Such measures are to ensure that Kiribati women are safe and supported. Every year, 3 to 4 islands are visited for the economic empowerment trainings where all our relevant key stakeholders such as the Ministry of Tourism, Commerce and Industry Cooperative (MTCIC) and Women NGOs, including the Assistant Agriculture in the outer islands are part of the team. The types of trainings, such as handicrafts, sewing, fixing sewing machines, agriculture, cooking balance food, making tuna jerky, making ice cream from seaweed, etc. are provided. Also, there was a women economic empowerment feasibility study in 2018 to assess which area of economic empowerment has more positive impact on women's income earning and what areas need to improve and continue to cultivate to promote and sustain these women's income generating activities.

Notes

¹ Source: Ministry of Women Youth Sports and Social Affairs.

² Source: Ministry of Women Youth Sports and Social Affairs.

³ Source: Ministry of Health and Medical Services.

⁴ <https://sasakawaleprosyinitiative.org>

⁵ Source: Office of Te Beretitenti Office (<https://www.undp.org>).

⁶ <https://www.dfat.gov.au/sites/default/files/eliminating-gender-violence-policy-action-plan.pdf>

⁷ Ministry of Women Youth Sport and Social Affairs.

⁸ A community-led approach for changing norms and behaviours in society towards power imbalances causing gender inequality. Both are funded by the Pacific Partnership Program of the EU, DFAT and UN Women.

⁹ <https://hrsd.spc.int>