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Draft report of the Working Group on the Universal Periodic Review*

Kiribati

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its eighth session from 3 to 14 May 2010. The review of Kiribati was held at the 2nd meeting, on 3 May 2010. The delegation of Kiribati was headed by the Minister for Internal and Social Affairs, The Honourable Kouraiti Beniato. At its 6th meeting, held on 5 May 2010, the Working Group adopted the report on Kiribati.

2. On 7 September 2009, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Kiribati: Brazil, Jordan and the Russian Federation.

3. In accordance with paragraph 15 of the annex to resolution 5/1, the following documents were issued for the review of Kiribati:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/8/KIR/1) and its corrigendum (A/HRC/WG.6/8/KIR/1/Corr.1);

(b) A compilation prepared by the Office of the High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/8/KIR/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/8/KIR/3).

4. A list of questions prepared in advance by the Czech Republic, Denmark, Germany, Latvia, Slovenia, Sweden, the Netherlands and the United Kingdom of Great Britain and Northern Ireland was transmitted to Kiribati through the troika. Those questions are available on the extranet of the universal periodic review.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The delegation of Kiribati stated that Kiribati was committed to the universal periodic review process. It thanked all stakeholders involved in the preparation of the national report. Kiribati also reaffirmed its appreciation for the support provided by the Government of the Netherlands, the Pacific Regional Rights Resource Team, the secretariat of the Pacific Communities and the Regional Office of the High Commissioner for Human Rights for the Pacific, based in Suva, Fiji.

6. The delegation of Kiribati briefly outlined the key challenging factors that, in many respects, restrict Kiribati's efforts to fully fulfil the requirements set out in the Bill of Rights of the Constitution. The delegation noted that Kiribati faced an acute scarcity of natural resources. Traditional aid sources included the bilateral aid programmes of Australia and New Zealand. Several donor countries, in addition to regional and international organizations, formed a group of development partners for Kiribati. It further noted that the geographical smallness and fragmentation of the islands made internal communications and transportation difficult and costly. Furthermore, isolation from major international markets rendered international trade uneconomical. Kiribati was a net exporter of food items and much-needed building material. Infrastructure required a great deal of development, and maintenance work on roads, the airport and port facilities were costly and thus below international standards.

7. The delegation stated that there was no human rights institution in Kiribati. If there were one, additional financial and specialized human resources would be required for its services. Kiribati would need capacity-building to sustain such an institution. Public awareness of the importance and relevance of its functions was essential to justify the establishment of such an institution. Therefore, the existence and the use of resources allocated to human rights institutions would be highly dependent on the international community. Kiribati would thus encourage the international community to look into providing technical and financial assistance that would enable it to establish one in the future.

8. The delegation further noted that a human rights commission within the region would be a step in the right direction. In addition, the services of such a regional commission would be fully utilized by a group of island Governments, particularly the smaller island States that could not afford to finance one on their own. Accordingly, Kiribati was supportive of the proposal of the Pacific Islands Forum secretariat, which was currently looking into the merits of establishing a regional human rights mechanism.

9. The delegation stated that Kiribati did not see any harm in ratifying the core human rights conventions. The delegation, however, noted that the resource requirements for reporting and implementation purposes with regard to many of these international conventions were quite substantial, especially for least developed countries. It further noted that, although not all conventions would be applicable to Kiribati, if the international community could ensure that such resources were available, Kiribati should take the necessary steps towards the ratification of existing and appropriate international conventions. These would include the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, and the Convention on the Rights of Persons with Disabilities.

10. The delegation stated that the Government of Kiribati recognized the need to amend the Constitution to improve the provisions regarding discrimination on the basis of sex, gender and disability. However, the procedure for amending the Constitution required the approval of a two-thirds majority of the entire voting population through a referendum and a two-thirds-majority vote in Parliament. The Government had faced such a challenge in 1998 when it held a national consultation to review the Constitution. At the time, participants from throughout the nation did not support the initiative to amend the provisions of the Constitution relating to fundamental rights. Later, in 2004, the Government could not achieve two-thirds-majority support among members of parliament for amending the provision on citizenship. In addition to the procedural requirements for amending the Bill of Rights, the Government requires further financial support in order to conduct a referendum and advocate support for the amendment initiative. Therefore, the Government recognized that, until amendments could be made to the Constitution, all other laws that were discriminatory in nature and effect would continue to be applied.

11. The delegation noted that violence against women was pervasive in Kiribati. It noted a recent report on a Kiribati family health study conducted in 2008, which found that 68 per cent of women in Kiribati had experienced physical and/or sexual violence perpetrated by their intimate partners. The delegation stated that the Government was very committed to working with regional bodies to propose solutions to the problem, including: training counsellors to assist victims in recovering physically and psychologically; the financing of awareness-raising programmes such as White Ribbon Days, “safe-nets” and a crisis centre; an intervention programme to combat domestic violence in all islands of Kiribati; supporting police initiatives by working with communities and creating a domestic violence and sexual offence unit within the police; and embarking on a legislative review.

12. The delegation further stated that, through the various committees existing within Government ministries, both the Government and non-governmental organizations were

working together on various strategies to address issues related to women, children and disability. The Pacific Prevention of Domestic Violence Project supported the police service with initiatives on domestic violence and sexual offences. The Office of the Attorney-General worked on the Child Protection Baseline Study for 2008-2009 to review existing legislation on child protection and juvenile justice. Furthermore, the Child Protection Legislative Reform Project, which was part of the broader study on gender-based violence and intervention programmes, was a Government initiative to address the issues surrounding violence against women. The Government was also currently working closely with regional organizations to study some of the legislation affecting women. However, financial constraints and a lack of capacity limited the implementation of proposed plans and activities.

13. The delegation stated that, although the Government had incorporated compulsory education into its laws and ensured free education through the junior secondary school level, it was the duty of parents and guardians to comply with the law and ensure that their children attended school. It stated that the Government was faced with that challenge and believed that the responsibility for compliance rested mostly with parents and guardians.

14. The delegation stated that parliament had repealed corporal punishment in educational institutions only. The Government was working in partnership with UNICEF on the possible reform of child protection legislation. The Kiribati National Advisory Committee on Children had been established in 2003; however, financial assistance to support its activities was required.

15. The delegation stated that Kiribati was finalizing its national policy on disability, which would be effective from 2010 to 2013. An action plan had also been drafted and had been attached to the policy. Kiribati was committed to the Biwako Millennium Framework. The national plan had been developed in response to the growing need to address disability issues in the wider community; it was also an attempt to ensure the fulfilment of the Government's commitments to international and regional endeavours.

16. The delegation noted that national statistics regarding people living with disabilities had been issued as recently as last year. It had been difficult to take useful decisions to facilitate the movement and the education of people living with disabilities. Each island might have a few disabled persons, but their disabilities needed to be documented. The Government continued to support people living with disabilities, through the provision of government land, a "home" and financial resources for the building of a "centre for people living with disabilities" in South Tarawa.

17. The delegation noted that the decline in the standard of quality education throughout Kiribati had been highlighted in several forums. The Education Sector Strategic Plan had been launched in 2008 as a comprehensive Government response whose priority objective was to address the decline. The Government accepted the fact that the training and up-skilling of teachers was slow and required further work in order to meet international standards. Several consultations aimed at improving the teaching standards system and appraisal systems had been completed.

18. The delegation further stated that the revision of school curriculums for the primary and secondary levels had been necessary in order to complement university entrance requirements and advanced information technology. Several reports and recommendations had been passed through the Ministry of Education; a number of them addressed the Policy Statement for Early Childhood Education, including primary to secondary education. The Government subsidized education costs, including transportation costs for students.

19. The delegation stated that the Government had sought to consult its stakeholders on climate change through various gatherings. Those consultations had included traditional leaders, women, youth, council clerks and mayors from each island. Special consideration

had yet to be given to vulnerable groups such as children and people living with disabilities, since those individuals were being looked after by their parents and relatives. However, public awareness programmes regarding climate change had been delivered to all citizens through the mass media, village dramas and presentations for the general population and organized youth groups.

20. The delegation stated that tangible outcomes of climate change adaptation programmes had been slow to come about in Kiribati, owing primarily to limited resources. Dependence on external assistance, especially from developed countries, had been the norm at the national level. In recent decades, only enabling activities had been carried out by donor communities for studies, assessments and additional consultations. Only in the past three years had Kiribati been given more than $1 million by multilateral mechanisms of the Global Environment Facility, which had financed pilot projects related to water and coastal protection at selected sites. But those sites did not even cover whole islands. Furthermore, as a result of the country's limited human resources, the bulk of the funds had been spent on costly technical assistance from abroad.

21. The delegation further stated that the involvement of vulnerable groups in the adaptation projects had been limited. Vulnerable groups shared the benefits of adaptation projects equally with the general public, through water, road and coastal infrastructure. The costs of implementing specialized programmes for vulnerable groups were excessively high. It emphasized once again that, once additional resources had been made available to Kiribati, the Government would be in a better position to design specific programmes targeted at vulnerable groups. For the time being, the Government was prioritizing its proposals in order to respond appropriately to climate change. The Government had already begun with the protection of public and community assets, which required urgent and immediate intervention. In the long term, Kiribati would continue to face adverse the effects of climate change owing to losses and damage caused by both extreme and slow-onset events. However, in the short to medium term, Kiribati would continue to move forward with adaptation strategies and programmes.

22. The delegation concluded that Kiribati would fully honour its responsibilities in safeguarding the rights of its citizens and non-citizens alike. However, the Government was also acutely aware of inherent limitations, in particular in its efforts to strengthen the capacities of individuals, professions and institutions. Kiribati therefore appreciates and will seriously consider all recommendations of the Human Rights Council. The level of its success will depend to a large extent on the availability of technical and financial assistance from all its development partners, including the United Nations and its specialized agencies.

B. Interactive dialogue and responses by the State under review

23. During the interactive dialogue, 28 delegations made statements. Recommendations made during the dialogue are found in section II of the present report.

24. A number of delegations expressed appreciation for the efforts made by Kiribati to participate in the review, given the travelling distance and the logistical difficulties. Some delegations thanked Kiribati for the quality and the presentation of the national report, as well as for the open and inclusive process of its preparation. Some delegations were pleased by the consultation of civil society stakeholders in the production of the national report. Some delegations also expressed appreciation for Kiribati's open acknowledgement of its specific human rights challenges. Kiribati was also commended for having ratified the Convention on the Rights of the Child (CRC) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and for its efforts to bring its

legislation into line with those conventions, as well as for having endorsed the Kiribati Development Plan 2008-2011.

25. Algeria referred to the national report, highlighting the fact that the domestic laws were not in compliance with the CEDAW and the CRC. It also referred to the listing of several challenges impeding the effective realization of human rights. However, the national report had also described the encouraging steps taken by the Government to promote children's rights. Algeria noted with interest the National Development Plan for 2008 -2011. Algeria made recommendations**.**

26. Norway expressed concern about the situation of women's rights in law and practice, and stated that there was an imminent need to strengthen the legal and practical protection of those rights. It also expressed concern that most schools would not accept girls as students once they had become engaged, married or pregnant, asking whether the basis for such rejection was law or practice. Norway made recommendations.

27. Turkey encouraged the Kiribati authorities to address the concerns regarding violence, discrimination against women, and child abuse. It inquired whether the Government intended to increase the number of human rights treaties to which it was a party. It concluded by highlighting the importance of raising awareness with a view to the sustainability and enhancement of the human rights situation in the country. Turkey made recommendations.

28. Germany indicated that, according to a 2009 report by the World Health Organization, inadequate water supplies, unsafe drinking water and poor sanitation had contributed to a high number of cases of disease and respiratory infection, which were the major causes of mortality among children. Germany asked what measures, if any, Kiribati was taking to install an effective system for sewage disposal and to promote new practices in the use of water and sanitation. Germany made recommendations.

29. Cuba referred to the National Development Plan for 2008-2011, highlighting health, economic growth, poverty reduction, environmental and other issues. Cuba welcomed the fact that the population had free access to medical services. It also noted access to free and mandatory primary education, as well as the 2008 Strategic Plan for education. Cuba further noted the important actions and programmes aimed at countering the effects of climate change .Cuba made a recommendation.

30. France indicated that, even though Kiribati was a party to CEDAW, women and girl children continued to be victims of unequal and discriminatory treatment. France noted that Kiribati was in the process of bringing its law into line with its international obligations, requesting further information about the measures taken in that regard. It also asked for further information about the 2010 reforms of the law relating to the protection of children. France made recommendations.

31. Hungary emphasized that widening the scope of treaty obligations would benefit various segments of Kiribati society and would assist the state's activities in the area of human rights. It noted with regret that Kiribati was "patrilineal" and that that principle transcended its legal system. Hungary took note with satisfaction of steps taken by the Government to reduce the very high rate of violence against women, and welcomed the preparation of the Draft National Action Plan for 2008- 2011. It made recommendations.

32. Slovenia observed that Kiribati was a party to only two of the core universal human rights treaties and asked whether it planned to ratify other international human rights treaties. Slovenia noted that there was no specific disability legislation and asked whether the Government planned to adopt such legislation in the future. It also asked about the Government's plans to improve teaching and learning facilities for its schools. Slovenia made recommendations.

33. Spain expressed support for Kiribati's determination to combat the negative consequences of climate change, including its impacts on the enjoyment of most fundamental human rights. Spain made recommendations.

34. The Libyan Arab Jamahiriya inquired about the reasons that Kiribati had not ratified core human rights instruments, except for the CEDAW and the CRC. It also inquired about the National Development Plan and its objectives. Libya asked about the progress made in amending the laws protecting women and children. It also asked whether a regional mechanism for human rights had been established and, if so, whether that mechanism was supported by Kiribati. Libya made recommendations.

35. China praised Kiribati's positive progress in the area of human rights, despite the challenges faced. It also acknowledged that the Government provided free health care and compulsory primary education to its people. China posed two questions: the first concerned the specific human rights affected by climate change, and the second concerned the short- and medium-term plans for coping with it.

36. The United Kingdom of Great Britain and Northern Ireland welcomed the Government's willingness to set up a national commission for human rights as early as possible. It requested further information about the Government's plans to promote gender equality. It also requested information about the timetable for implementing the National Development Plan. In addition, it expressed interest in the Government's Action Plan on Disability. It made recommendations.

37. Mexico recognized the efforts made by Kiribati to fight poverty and to prevent and eradicate discrimination against people with disabilities, through a national plan of action based on respect for and the promotion of human rights. With regard to Kiribati's accession to international human rights instruments, it inquired about the need for technical assistance from the international community to permit the ratification of those treaties to which Kiribati was not yet a party, as well as the need to implement those already ratified. Mexico made recommendations.

38. Canada appreciated the open acknowledgement in the national report of the specific human rights challenges faced by Kiribati. Canada was concerned at the fact that schools for people with disabilities did not receive Government support. It also noted that discrimination against women and gender-related violence remained problems, and that physical violence against women in permanent relationships was prevalent. Canada made recommendations.

39. The delegation stated that raising public awareness was the key to understanding the human rights situation in Kiribati.

40. In relation to non-accession to core international human rights treaties, the delegation reaffirmed that Kiribati's accession to such conventions and treaties would be a costly exercise. Kiribati would therefore need to assess the costs, benefits and obligations associated with acceding to such treaties. Kiribati was in the process of reviewing existing conventions and treaties, and the Government had submitted a list of those conventions to the Cabinet for its consideration. The delegation reaffirmed the need for financial assistance from the international community in that regard.

41. Concerning the issue of discrimination against women, the delegation acknowledged that there was a high rate of such discrimination. Kiribati had been collaborating with civil society organizations to come up with a legislative response to domestic violence. The delegation confirmed that Kiribati would need to come up with specific legislation that would deal with domestic violence, and that the country was making progress in that direction. For victims of domestic violence, counselling services and assistance would be required.

42. With respect to the key element of eliminating discriminatory clauses in Kiribati laws, in particular laws relating to land distribution and the political participation of women, the delegation reiterated that an amendment to the Bill of Rights in the Constitution was a precondition for the achievement of that goal. However, the delegation reaffirmed the difficulty of adopting such an amendment and emphasized that the Government intended to come forward with another proposal for such an amendment.

43. The delegation confirmed that corporal punishment had been banned in schools, but had not yet been banned in homes. It noted that, although the issue was being debated, the biggest obstacle was cultural. Public awareness and assistance were required in order to send to parents and guardians the message that corporal punishment was not acceptable.

44. With regard to the issue of climate change, the delegation noted that the impacts of climate change posed human rights problems for low-lying countries such as Kiribati. Climate change was a matter of survival and security. It had already damaged Kiribati's infrastructure. Coastline erosion and sea-level rise had created many problems for Kiribati. The lack of capacity and resources was exacerbating those problems. Kiribati, as part of its short-term and medium-term strategy, needed an assessment of the level of coastline erosion in order to protect from further degradation. Kiribati was seeking financial and technical assistance from the international community in that regard.

45. Concerning the issue of safe drinking water and sewerage, the delegation noted that the population living on the outer islands normally used boiled water for drinking. In urban areas, there were water catchments for rainfall; the challenge was to ensure a storage facility for such catchments. The Government continued to provide assistance so as to improve access to clean water. The Government also continued to provide assistance in meeting community-based needs for water tanks in order to improve water quality. The delegation stated that Kiribati had established a water and sanitation policy, whose implementation, it was hoped, would improve the situation at the national level with regard to sanitation and water.

46. The delegation stated that the Government planned to improve education, teaching and learning facilities, and resources. The Government had launched a comprehensive education sector strategy plan in 2008 to improve the quality of education, teaching and learning facilities, and resources. Kiribati continued to provide assistance in that regard and would require further financial support from development partners, which would help the Government to provide free education to children.

47. Maldives noted the severe technical and financial capacity constraints faced by Kiribati and its knock-on effects in terms of the promotion and the protection of human rights. It encouraged the Government in its endeavour and its commitment to provide access to free education and health care for all its citizens. Maldives urged Kiribati to proceed with the implementation of its National Action Plan to eliminate gender-based violence. Maldives made a recommendation.

48. The Netherlands commended Kiribati for the ratification of the CRC and the CEDAW, as well as the efforts made to bring national legislation into compliance with those conventions. It noted with concern the results of a 2009 study showing that 68 per cent of the female population had been victims of violence. It was also concerned by the number of laws that were of a discriminatory nature and that the Broadcasting and Publication Authority Act allowed the Government to prohibit freedom of expression. The Netherlands made recommendations.

49. Argentina regretted that, owing to the lack of human and financial resources allotted to the 2009 National Advisory Committee for Children, it had not been enabled to work effectively. Argentina inquired about the measures adopted to implement the recommendations made by UNDP/UNIFEM concerning the constitutional effectiveness of

customary law, which seemed to prolong women's inequalities. It also requested information about the adopted measures aimed at the implementation of the National Plan of Action 2010-2020 to eliminate violence against women, and about the activities undertaken thus far in that regard. Argentina made recommendations.

50. Slovakia appreciated the fact that the death penalty had been abolished in Kiribati. It welcomed the free compulsory primary school education, as well as the increasing number of girls attending school. However, it was concerned by the persistent cases of violence against children, in particular sexual violence, including commercial sexual exploitation, which had not been sufficiently prosecuted. In addition, children were increasingly exposed to domestic violence. Slovakia made recommendations.

51. New Zealand shared its deep concern about the entrenched discrimination against women that pervades Kiribati society. However, it credited Kiribati for having ratified the CEDAW. New Zealand further welcomed its police capacity-building specifically targeting violence against women and its National Action Plan. It recognized Kiribati's geographical and environmental challenges and its limited resources. New Zealand made recommendations.

52. Sweden noted reports indicating that violence and discrimination against women remained a problem, asking Kiribati to elaborate as to what measures were being taken to ensure the rights of women. It also noted the reports by UNICEF and international non-governmental organizations regarding the alcohol-related physical and sexual abuse of children and concerns about child prostitution. Sweden asked what measures were being taken to prevent and address child abuse and child prostitution. Sweden made recommendations.

53. Chile noted the challenges faced by Kiribati, including its fight against poverty and the effects of climate change. It noted the national report highlighting the need to undertake further work to guarantee the necessary legal framework for facilitating the protection of women. Chile also noted Kiribati's recognition that the Criminal Code and other codes regarding children's rights and interests should be revised. Chile made recommendations.

54. Japan stated that Kiribati had yet to ratify most of the core international human rights instruments, asking about the efforts aimed at ratifying those instruments. It also noted reports that domestic violence against women and corporal punishment of children were daily occurrences. Japan further noted the actions being taken under the Kiribati Development Plan 2008-2011 in designated key policy areas. Japan expressed hope that Kiribati would build a stable society through the effective implementation of the Plan and that it would also improve the human rights situation. Japan made a recommendation.

55. Australia was pleased to note the undertaking by Kiribati to submit its State report to the CEDAW Committee and the efforts made to align its national laws with the Convention. It praised Kiribati's endorsement of the Pacific Regional Strategy on Disability in October 2009, which fostered links to the Convention on the Rights of Persons with Disabilities. Australia made recommendations.

56. The United States of America expressed its support for the creation of a national, independent commission for human rights, as indicated by Kiribati in the national report, as well as for the continued efforts aimed at eliminating gender inequality, discrimination, and violence against women and children. The United States also expressed support for Kiribati's efforts to promulgate a draft amendment to the Constitution that would protect against discrimination and would seek to protect the rights of women and children. It made a recommendation in that regard.

57. Latvia referred to the issue of a standing invitation, while noting that no requests for visits had been made so far. Latvia made a recommendation in that regard.

58. Morocco welcomed the priority accorded by Kiribati to climate change, as well as the efforts to compensate for the effects of climate change. Morocco requested information about the harmonization of national laws with international standards, particularly in relation to women and children, asking to what extent UNICEF assisted with the implementation of the rights of the child. It also asked about the measures envisaged for the follow-up on the report on the study of the family and the results of the survey by the World Health Organization on violence against women. It made recommendations.

59. Indonesia noted that there was no national human rights institution in Kiribati and commended the Government for its expressed willingness to work with the international community to establish one. It shared Kiribati's concerns about the effects of climate change and the detrimental impact on the right to a clean environment, clean water and livelihood security. It noted that the provisions of the CEDAW and the CRC, which had been ratified by Kiribati, had to be fully incorporated into domestic legislation. Indonesia made recommendations.

60. The Philippines commended Kiribati for having ratified the CEDAW and the CRC, and it noted Kiribati's plans to ratify other international human rights treaties. It congratulated Kiribati on the formulation of its first National Action Plan to eliminate gender-based violence, viewing it as a positive step towards the finalization of a national policy and action plan on disability issues. The Philippines understood the Government's focus on urgently addressing the devastating effects of climate change, stating that small island States such as Kiribati needed the sustained support of the international community in order to adapt to climate change. The Philippines made recommendations.

61. Concerning the issue of sexual orientation, the delegation appreciated the existence of homosexuality and the need to include it as a prohibited discriminatory ground in the Constitution. However, the delegation reiterated the high threshold required in order to adopt an amendment to the Bill of Rights. The same would apply to the issue of discrimination against women.

62. The delegation stated that a legislative reform on child protection had been undertaken. The delegation noted that conducting awareness-raising programmes throughout the country regarding legislative reform was a daunting task, and it acknowledged the assistance provided by UNICEF in that regard.

63. With respect to the issue of violence against children, the delegation stated that legislative reform was needed in order to comply with the CRC, which might take some time. Kiribati had begun the process.

64. The delegation stated that Kiribati was finalizing its national policy on disabilities, which would be effective from 2010 to 2014; what remained was Cabinet approval. A draft action plan on disabilities was attached to the policy, which awaited the Government's endorsement. The Government was providing support to people with disabilities through the provision of land, homes and financial resources. The delegation stated that Kiribati was collecting data regarding people with disabilities. As its islands were scattered over a wide area, Kiribati had few data concerning people with disabilities, which would be required in order for the Government to make future plans and take effective decisions. The Government hoped to endorse the policy and action plan once the information/data had been analysed.

65. Concerning the involvement of non-governmental organizations in the preparation of the national report, the delegation stated that the Government and non-governmental organizations had played an equal part in the process. The participation of non-governmental organizations in the preparation of the national report had been very constructive, and the Government looked forward to the further engagement of such organizations in its future endeavours.

II. Conclusions and/or recommendations

66. **The following recommendations will be examined by Kiribati, which will provide responses in due course, but no later than the fifteenth session of the Human Rights Council, in September 2010. The response of Kiribati to the recommendations will be included in the outcome report adopted by the Human Rights Council at its fifteenth session:**

66.1. **Establish a committee to study human rights conventions in order to pave the way for accession to such conventions (Libyan Arab Jamahiriya);**

66.2. **Make a long-term plan for the step-by-step ratification of or accession to all core international human rights instruments (Slovenia);**

66.3. **Consider the possibility of ratifying other core human rights instruments (Algeria);**

66.4. **Ratify all core human rights treaties as soon as possible (Hungary); ratify the other pending universal human rights treaties (Chile);**

66.5. **Consider signing and ratifying the ICCPR and the ICESCR (Norway); accede to the core international human rights instruments, namely, the ICCPR and the ICESCR (Maldives); ratify other principal international human rights instruments, particularly the ICCPR and the ICESR (Slovakia);**

66.6. **Sign those international human rights instruments to which it is not yet a party, including the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, and also become a party to the Rome Statute of the ICC (France);**

66.7. **Sign and ratify the CERD, the ICESCR and the Optional Protocol thereto, the ICCPR and the First Optional Protocol thereto, the Optional Protocol to the CEDAW, the CAT and the Optional Protocol thereto, the two Optional Protocols to the CRC, the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto, and the International Convention for the Protection of All Persons from Enforced Disappearance (Spain); sign and ratify the Second Optional Protocol to the ICCPR (Spain);**

66.8. **Ratify the CERD, the ICCPR and the Optional Protocols thereto, the ICESCR, the CAT and the Optional Protocol thereto, the Optional Protocols to the CRC, the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto, and the International Convention for the Protection of All Persons from Enforced Disappearance (Argentina);**

66.9. **Become a party to the ICCPR, the ICESCR, the ICERD and the CAT, as well as the Rome Statute of the ICC (Canada);**

66.10. **Incorporate into domestic legislation the treaties that Kiribati has ratified (Turkey);**

66.11. **Further review and harmonize all relevant laws in accordance with the ratified human rights instruments (Indonesia);**

66.12. **Guarantee that its laws and policies are in conformity with the Convention on the Elimination of All Forms of Discrimination against Women, and take measures to combat practices that perpetuate discrimination against women and their marginalization, particularly with regard to their inheritance and citizenship, and adopt specific legislation properly penalizing domestic violence and promoting the participation of women in political life (France);**

66.13. **Withdraw its reservations to the CRC and fully incorporate that instrument into its national legislation, as well as consider the ratification of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (Slovakia);**

66.14. **Take the measures necessary to bring its national legislations into conformity with its international obligations under the CEDAW and the CRC (Algeria);**

66.15. **Continue its efforts to promote and protect the rights of women and children in accordance with the obligations of the CEDAW and the CRC (Philippines);**

66.16. **Ensure that human rights are afforded full legal protection (Australia);**

66.17. **Enact appropriate legislation that addresses violence against women, after consultation with relevant stakeholders (Netherlands);**

66.18. **Expand its definition of the concept of rape in such a way as to clearly prohibit sexual harassment, and also define domestic violence in its criminal law (Argentina);**

66.19. **Proceed with child protection legislative reform (Australia);**

66.20. **Review and transform the 1977 Penal Code with regard to violence against children, sexual abuse and exploitation, abduction, sales and trafficking (Germany);**

66.21. **Adopt effective measures to bring its national legislation, including customary law, into line with the provisions and principles of the CRC, particularly in the area of child protection and the prevention of corporal punishment, child abuse and child pornography (Argentina);**

66.22. **Review its legislation to ensure that restrictions on the freedom of expression do not go beyond those permitted by the ICCPR, even though Kiribati has not yet ratified it (Netherlands);**

66.23. **Decriminalize homosexuality by abrogating the legal provision that currently penalizes sexual relations with persons of the same sex, and sign the joint statement made in the General Assembly in December 2008 on human rights, sexual orientation and gender identity (France);**

66.24. **Establish a national human rights institution accredited by the International Coordinating Committee of National Human Rights Institutions (Germany); establish a national human rights institution in accordance with the Paris Principles (Canada);**

66.25. **Make greater efforts to establish a national institution for human rights and cooperate with the Office of the United Nations High Commissioner for Human Rights and other relevant United Nations organs, and seek from the international community the necessary financial support to attain that objective (Libyan Arab Jamahiriya);**

66.26. **Promptly establish a National Human Rights Institution that operates in accordance with the Paris Principles, seeking international assistance as necessary (United Kingdom of Great Britain and Northern Ireland);**

66.27. **Consider, with the support of the international community, the establishment of a national human rights institution (Philippines);**

66.28. **Seek from the international community and United Nations specialized agencies the technical assistance necessary to establish a national human rights institution as well as to overcome the challenges and constraints listed in the national report (Algeria);**

66.29. **Establish a national institution for human rights in accordance with the Paris Principles, seeking international technical cooperation if necessary (Mexico);**

66.30. **Institute mechanisms for the effective guarantee of the human rights of all its citizens, including awareness-raising activities (Japan);**

66.31. **Raise awareness, through the media and educational means, of the value of human rights and respect for human rights, as well as violence against women (Libyan Arab Jamahiriya);**

66.32. **Accelerate, as appropriate, the pursuit of the worthy objectives set out in the National Development Plan 2008–2011 (Algeria);**

66.33. **Extend Government funding to schools for persons with disabilities (Canada);**

66.34. **Establish a comprehensive child labour policy (Germany);**

66.35. **Urgently strengthen its commitment to the international human rights system in order to receive specialized help, through the extension of a standing invitation to all special procedures (Spain);**

66.36. **Consider extending a standing invitation to all special procedures of the Human Rights Council (Latvia);**

66.37. **Issue a standing invitation to the special procedures (Canada); extend a standing invitation to the special procedures mandate holders (Chile);**

66.38. **Intensify its efforts to include gender as a discrimination ground in the Constitution (Norway);**

66.39. **Amend the Constitution to include sex and gender as prohibited grounds of discrimination (Slovenia); amend its Constitution to include sex and gender as prohibited grounds of discrimination (New Zealand);**

66.40. **Amend its Constitution and its domestic legislation to prohibit discrimination on the basis of gender, to bring it into line with its CEDAW obligations (United Kingdom);**

66.41. **Amend its Constitution so as to expand the prohibited grounds of discrimination to include not only gender, but also sexual orientation, disability, health status and economic status (Netherlands);**

66.42. **Fully implement, once adopted, a draft amendment to the Constitution that would protect against discrimination on the basis of sex and gender, and would seek to protect women's and children's rights regarding family law, sexual offences, domestic violence, property, the right to work, and inheritance law (United States of America);**

66.43. **Abolish all provisions of laws and regulations that do not provide equal rights to women (Hungary);**

66.44. **Amend laws and change policies and practices that either expressly discriminate against or perpetuate discrimination against and the marginalization of women (New Zealand);**

66.45. **Amend its laws, including the Bill of Rights, to protect against discrimination on the basis of sex and to prohibit violence against women, including domestic violence (Canada);**

66.46. **Adopt policies and measures to guarantee the rights of women in the social, economic and cultural fields, without any form of discrimination (Chile);**

66.47. **Approve laws and implement programmes that ensure the elimination of gender inequality, in particular access to dignified working conditions, credit, land ownership and basic social services (Mexico);**

66.48. **Adopt additional legislative measures on gender equality to ensure equal participation for women in all decision-making positions in all areas of public administration (Spain);**

66.49. **Promote and support the participation of women in decision-making at all levels (New Zealand);**

66.50. **Adopt effective measures to overcome the inequality affecting women in accordance with the provisions of the CEDAW and recommendations of UNDP/UNIFEM (Argentina);**

66.51. **Take all measures necessary to address all forms of discrimination, including social discrimination and discrimination against children with disabilities in remote areas (Germany);**

66.52. **Review and amend all relevant legislation, including family law, inheritance law and domestic nationality and citizenship law, and the application thereof, in order to ensure equality between the sexes and compliance with the CEDAW (Norway);**

66.53. **Ensure that all girls and women are accepted as students, independent of their status as engaged, married or pregnant (Norway);**

66.54. **Eliminate all forms of de facto discrimination against children belonging to economically disadvantaged families (Turkey);**

66.55. **Take urgent steps to prevent and punish violence against women in all its manifestations (Hungary);**

66.56. **Take further measures to eliminate violence and discrimination against women, including by criminalizing sexual harassment (Sweden);**

66.57. **Undertake further work to ensure that the law is adequate to prosecute cases involving domestic violence and that such laws are properly enforced through, for example, increased police capacity-building and the appointment of female officers (New Zealand);**

66.58. **Make available better support networks to protect women victims (New Zealand);**

66.59. **Proceed with national plans of action on disabilities and on eliminating violence against women (Australia);**

66.60. **Train the police with regard to domestic and sexual violence against women (Germany);**

66.61. **Implement outstanding legislative reforms to prevent violence against children and child abuse in accordance with its obligations under the Convention on the Rights of the Child (United Kingdom);**

66.62. **Take further action to ensure that children who have been subjected to sexual exploitation are treated as victims and that the perpetrators are brought to justice (Sweden);**

66.63. **Adopt and implement Penal Code reforms and other measures in compliance with international human rights standards in order to combat violence against children in all its forms, and provide adequate reintegration and rehabilitation for the victims (Slovakia);**

66.64. **Take further action to ensure for children their human rights under the Convention on the Rights of the Child, including by establishing an effective mechanism for receiving, monitoring and investigating reports of child abuse and neglect (Sweden);**

66.65. **Take all measures necessary to prevent and combat violence against and the maltreatment of children, by setting up an effective mechanism for collecting, processing and investigating complaints, by promoting an awareness-raising campaign and by providing adequate protection for victims; and review and modify the articles of the 1977 Criminal Code concerning violence against children, the sexual exploitation of children, and the sale and trafficking of children (France);**

66.66. **Prohibit the corporal punishment of children at home, at school, in penal institutions, in alternative-care settings and as a traditional form of sentencing (Slovenia);**

66.67. **Explicitly prohibit, in all fields, corporal punishment for children and adolescents, particularly in view of section 226 of the Penal Code, which permits "reasonable punishments" in penal institutions and by decree of Island Councils (Chile);**

66.68. **Enhance the enjoyment of the right to education, particularly for girls, and address the issue of sexual abuse and exploitation of children (Algeria);**

66.69. **Ensure the full implementation of juvenile justice standards (Germany);**

66.70. **Cease immediately the practice of not segregating women, children and men in prison facilities (New Zealand);**

66.71. **Adopt policies and measures to combat child labour and the commercial exploitation of children, in accordance with the recommendations made by the Committee on the Rights of the Child (Chile);**

66.72. **Continue to implement programmes aimed at ensuring that all its people have free quality health and education services (Cuba);**

66.73. **Strengthen efforts to combat the spread of HIV/AIDS (Germany);**

66.74. **Provide training to medical doctors and cooperate with international organizations, especially the World Health Organization, and members of the international community on obtaining vaccinations to combat HIV/AIDS and to prevent its spread (Libyan Arab Jamahiriya);**

66.75. **Further strengthen its educational system to guarantee unrestricted access to education for every member of the population (Slovakia);**

66.76. **Increase budgetary allocations to ensure equal access to free and quality primary education in all regions and to improve the physical infrastructure of schools, including teaching materials (Slovenia);**

66.77. **Earmark a larger budget for the educational sector, and revise existing educational legislation in order to ensure access to primary education for children of all regions (Mexico);**

66.78. **Upgrade the efficiency and the skills of teachers (Libyan Arab Jamahiriya);**

66.79. **Consider developing human rights education and training programmes in the context of upgrading its national education system (Philippines);**

66.80. **Redouble efforts and pursue activities aimed at ensuring respect for environmental legislation (Morocco);**

66.81. **Study the possibility of developing a national environmental charter or a similar instrument to define the role and responsibilities of, as well as the coordination of action by, all relevant parties, including civil society (Morocco);**

66.82. **Actively pursue international cooperation aimed at adapting to the adverse effects of climate change (Philippines);**

66.83. **Involve civil society, including human rights non-governmental organizations, in the follow-up to this review, especially in addressing gender discrimination and domestic violence (United Kingdom).**

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

Annex

Composition of the delegation

The delegation of Kiribati was headed by the Minister for Internal and Social Affairs, The Honourable Kouraiti Beniato, and was composed of four members:

- The Honourable Titabu Tabane, Attorney General;
- Mrs. Tarsu Murdoch, Secretary, Ministry of Environment, Lands and Agricultural Development;
- Mr. Tom Murdoch; Deputy Secretary, Ministry of Internal and Social Affairs;
- Ms. Teretia Tokam-Mantaia, Country Focal Officer, Pacific Regional Rights Resource Team of the Secretariat of the Pacific Community.