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

Kiribati

* The annex to the present report is circulated as received

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Introduction

1. The Working Group on the Universal Periodic Review (UPR), established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its twenty-first session from 19 to 30 January 2015. The review of Kiribati was held at the second meeting on 19 January 2015. The delegation of Kiribati was headed by the Minister for Women, Youth and Social Affairs, Honorable Tangariki Reete. At its 10th meeting held on 23 January 2015, the Working Group adopted the report on Kiribati.
2. On 13 January 2015, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Kiribati: Ireland, Kenya, Viet Nam.
3. In accordance with paragraph 15 of the annex to resolution 5/1 and paragraph 5 of the annex to resolution 16/21, 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.6/21/KIR/1);
 - (b) A compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/21/KIR/2);
 - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/21/KIR/3).
4. A list of questions prepared in advance by Germany, Slovenia, Spain and United Kingdom of Great Britain and Northern Ireland was transmitted to Kiribati through the troika. These questions are available on the extranet of the UPR.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The head of the delegation of Kiribati, Honourable Tangariki Reete, first expressed Kiribati's gratitude for the support provided by all stakeholders involved in the preparation of the 2nd National UPR Report: in particular, the Regional Office of the High Commissioner for Human Rights for the Pacific in Fiji, United Nations agencies in the Pacific region, the Secretariat of the Pacific Community (SPC) through the Regional Rights Resource Team (RRRT), and the Commonwealth Small States Office in Geneva.
6. In 2010 when Kiribati presented its first UPR Report, it was clear that a lot of development would be required to meet these international obligations relating to human rights. Four years later, Kiribati accomplished many of the international requirements emerging from the recommendations. In the first review Kiribati had received 83 recommendations out of which 42 were accepted, 11 were not supported and 30 were to be considered in due process. Kiribati informed the Working Group of the significant progress achieved so far in meeting these commitments.
7. Work in the follow up of the 1st Review involved relevant ministries, civil society and Faith Based Organizations in the implementation of the recommendations before the Kiribati National Human Rights Task Force was established in 2014. The Task Force led the national preparation for the 2nd UPR Review and considered submissions from all Stakeholders who also participated in the consultation process.

8. The Second UPR report included the progress and continued commitment of the Kiribati Government and emphasized the achievements since the last review in 2010 in relation to mainstreaming human rights into the formal machinery of the Government through the following:

- (a) Commitment to human rights and related international conventions;
- (b) Legislative and policy reforms;
- (c) The creation of a human rights task force;
- (d) Awareness programmes on human rights;
- (e) The National Development Plan (known as the Kiribati Development Plan);
- (f) Child labour policy;
- (g) Human rights special procedures;
- (h) Gender and inequality policies;
- (i) Health, education and environment programmes.

9. Kiribati has been addressing treaty obligations with a view to incorporating human rights principles into its national legislation. The following legislation has been passed by the Parliament of Kiribati since the first review in 2010:

- (a) Children, Young Persons and Family Welfare Act (2013);
- (b) Education Act (2013);
- (c) Amendment of the Constitution to establish the Ministry of Women, Youth and Social Affairs (MWYSA); and d) Te Rau n te Mweenga/ Family Peace Act (2014).

10. Other developments that have been achieved in protecting and supporting human rights are:

(a) Progress in the area of Eliminating Sexual and Gender Based Violence (ESGBV), following the alarming results of the Kiribati Family Health and Support Study in 2008. The study compelled the need for urgent action and the outcome has been a very strong political call as well as national commitment to eliminate violence against women and girls.

(b) To specifically deal with ESGBV, a targeted programme was set up to coordinate ESGBV programmes. Technical and financial assistance from various donors and development partners including Australia, New Zealand, Taiwan, Turkey, UNWOMEN, UNFPA, UNICEF, PIFS, SPC and the World Bank has assisted in the implementation of these programmes.

(c) In 2010, the Government of Kiribati endorsed the Elimination of Sexual and Gender Based Violence Policy and National Action Plan (2011-2021), leading to a wide range of activities and changes, including the passing of Te Rau N TeMweenga (Family Peace Act 2014), male advocacy programmes, adolescent girls initiatives and collaborative work with key ministries and CSO's in mainstreaming ESGBV into their programmes and building their capacities.

(d) The Kiribati Shared Implementation Plan, the overarching plan which was endorsed in 2014 by the Cabinet, and the UN Joint Plan which is currently being finalized are part of the implementation of the National Approach to Eliminating Sexual and Gender Based Violence Policy and National Action Plan (2011-2021).

(e) SafeNet, a committee that comprises of Government ministries, NGOs and Faith Based Organizations providing frontline services to victims of domestic violence, has also

been established in most islands of Kiribati. Organizations refer cases to appropriate authorities and share information and data. In 2014, a gender project was set up, funded by the World Bank, to manage, coordinate and improve access to domestic violence services.;

(f) Kiribati is also a member of the Pacific Islands Forum Reference Group to Address Sexual and Gender Based Violence. A socio economic impact costing of violence against women was conducted in 2014, and a report on this matter is currently being finalised.

(g) The policy of the Children, Young People and Family Welfare Policy (CYPFW), aiming at protecting children against abuse, violence, neglect and exploitation, ensured that the best interests of children and families are fulfilled.

(h) The development of an inclusive education policy with a view to supporting:

(i) provisions of a flexible curriculum;

(ii) training of teachers to deliver educational programs and strategies;

(iii) compulsory education for all school aged children (at Primary and Junior Secondary) including children with special needs; and

(iv) recognition of parents'/caregivers' role in all stages of their child's education.

11. Furthermore, Kiribati has also undergone a gender stocktaking exercise conducted in September 2013 through the assistance of SPC. Recommended strategic actions out of this stocktaking included the strengthening of capacity for data collection and gender analysis of data and improving accountability and facilitate the monitoring of the effectiveness of gender mainstreaming. The Gender Equality and Women's Development Policy has been reviewed: priorities are to create an enabling environment for gender mainstreaming, improve political representation and leadership, empower women economically, support stronger, informed families, and eliminate sexual and gender-based violence.

12. With the ratification of the Convention on the Rights of Persons with Disabilities (CRPD) in 2013, the Government has drafted the National Disability Policy, now in progress, that will ultimately provide a national framework to guide all stakeholders and communities to improve the lives of persons with disabilities, dismantle the barriers in society and raise awareness. Under the Building Act 2006, the Building Code has been formulated by way of regulations to accommodate and provide more access to buildings and infrastructure for people with disabilities. A workshop has been held with all mayors in Kiribati while the Disability Persons Organization, Te Toa Matoa (NGO), has carried out awareness raising programs in islands in Kiribati.

13. The development of a Kiribati Health Strategic Plan (2012–2015) set the overall framework for action on health. The plan has been shaped by a Health Needs Assessment, which examined the health needs of the I-Kiribati population and the ability of the health system to respond to these needs.

14. The Kiribati Integrated Environment Policy (KIEP) was approved in 2012 and publicly launched in 2013. The Policy identified national environment priorities under 5 thematic areas – climate change, biodiversity, waste management and pollution control, resource management and environmental governance and sought to keep abreast the Government and donors of the environment priorities that need to be addressed at the national level. The policy also aimed at achieving the protection and management of the environment and promotes Kiribati's peoples resilience against the impacts of climate change.

15. The Kiribati Joint Implementation Plan on Climate Change and Disaster Risk Management has been designed to complement the National Disaster Risk Management

Plan and the National Framework for Climate Change and Climate Change Adaptation. The Kiribati Joint Implementation Plan respects and promotes human rights by ensuring that all I-Kiribati have increased access to food security, safe water security and land security within the current and future threats of climate change and disasters such as sea level rise and droughts.

16. Efforts have been done for the establishment of systems for mainstreaming of human rights into the work of all ministries and departments administering and implementing national laws including the Constitution. This includes the Kiribati National Human Rights Taskforce which was set up in July 2014 and the inclusion of a Human Rights Unit within the Ministry for Women, Youth and Social Affairs, effective from 2015.

17. The delegation stated that Kiribati's commitment to address and increase the promotion and protection of human rights is entrenched in Kiribati's own traditional system. The country is blessed with age old strong traditional and cultural institutions that safeguard the basic human rights of its people and communities. So far, the Ministry for Women, Youth and Social Affairs, through its Women's Development Division and Social Welfare Division has conducted awareness and consultations on human rights conventions in collaboration with regional and international organizations. During the period of 2013-2014, human rights trainings on CEDAW and ESGBV were conducted on 20 of the 22 inhabited islands of Kiribati. A direct outcome of this initiative was the creation of a pool of human rights defenders and male advocates throughout Kiribati.

18. Child Protection legislation has been reformed through a common effort by the Government and all Stakeholders. The Technical Working Group, established in 2010, continued to work with representatives from NGOs and Faith Based Organizations. Awareness programmes on the Children, Young People and Family Welfare (CYPFW) legislation and policy have been conducted in nine islands including the capital, Tarawa, where over 50% of the population - more than 50,000 persons - resides. The rest of the islands in the country will be visited in 2015. Under Section 18 (1) and (2) of the CYPFW Act 2013, any person is mandated to report concerns to the Police and Welfare Officers about the wellbeing of a child or young persons including children undergoing and suffering from corporal punishments both in the community and in schools. During the CYPFW legislation and policy consultations, community members were trained to become Child Protection Advocates.

19. The Youth Justice Bill is being drafted and the final version will be submitted to the Cabinet by the end of March 2015.

20. The Kiribati National Human Rights Task Force has been working on pending reports for CEDAW and CRC in order to submit the initial and 2nd and 3rd consolidated periodic CEDAW reports in April 2015. The CRC consolidated 2nd, 3rd and 4th periodic reports will be submitted in June 2015. The Task Force will also compile and submit the CRPD initial report by the due date in 2015. The recent creation of the Ministry for Women, Youth and Social Affairs and the establishment of the Human Rights Task Force and Human Rights Unit, placed Kiribati in a better position to progress work on human rights and in particular speed up the process of preparation and submission of future periodic reports to relevant committees.

21. Kiribati will continue to work in cooperation with the OHCHR and to seek support from UN agencies, regional bodies and development partners in building national capacity, training and exchanging human rights expertise and experiences with other Pacific Island countries.

22. Kiribati has also been making progress in achieving internationally set goals such as the MDGs despite various challenges, such as isolation, overpopulation, lack of data, and access to rights and services.

23. The smallness of the islands and their geographic dispersion across a large ocean area, make access and the exorbitant cost of replicating services, a major challenge. Further support is required in building local capacity and strengthening and resourcing existing structures and bodies that play a key role in human rights implementation and reporting.

24. In its national report, Kiribati highlighted that the major challenge it is facing is climate change. As a nation of low lying islands, with average elevation of the islands above sea level of only 2 meters, climate change and the resultant sea level rise have added new and major challenges for Kiribati, including loss of territory, severe coastal erosion, involuntary displacement of communities, and affecting food and water security. More importantly, it has become a survival issue for Kiribati's people.

25. Kiribati welcomed the upcoming full day discussion on Human Rights and Climate Change during the 28th session of the Human Rights Council scheduled for 6 March 2015. Kiribati encouraged small states to take this opportunity to share their views on the challenges and best practices in addressing the adverse effects of climate change and human rights. Kiribati called upon the international community to continue to support increased participation of small states, in particular those that do not have representation in Geneva, in the discussions on these important issues taking place in the Human Rights Council.

26. Kiribati strongly believed that is absolutely essential addressing challenges from climate change to low lying nations, and the way in which climate change is affecting the very basic human right for Kiribati people as a distinct culture to survive, and to enjoy basic rights like the right to clean drinking water, and to food.

27. Kiribati's Government has been doing its best to face this situation as buying land offshore, focusing on education and up skilling people to prepare them to be able to "migrate with dignity" when Kiribati's islands will no longer be habitable. Kiribati also initiated a coalition of the most vulnerable nations to climate change, the Coalition of Low-lying Atoll Nations on Climate Change (CANCC).

28. Kiribati welcomed and appreciated assistance from development partners, but much more needs to be done.

29. Climate change and sea level rise are global problems. Kiribati is on the frontline now, together with other low-lying countries like Tuvalu, Marshall Islands, Maldives and Tokelau, but so are the scores of millions of people in the Pacific region and around the world living in low lying coastal cities, towns and village communities. Kiribati called for urgent regional and global action to help Island States living in the same dangerous condition.

30. The delegation said that the Government is strongly committed to upholding and ensuring human rights for its people; it took careful note of the comments made in this UPR session and will continue to work hard in meeting its human rights obligations. However this UPR process will amount to nothing if major challenges posing serious violations of the basic human right of Kiribati people to survive are not addressed as well in human rights bodies such as the UPR WG. Climate Change is the challenge number one.

31. The UPR Working Group and the Human Rights Council need to focus and catalyze global action to address this major challenge to the right to survive, not only for Kiribati but for the global community, as it has done so well on the rights of individuals, women's rights, gender equality, the rights of the child, the rights of the disabled, freedom of speech, worship and association.

B. Interactive dialogue and responses by the State under review

32. During the interactive dialogue, 44 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

33. Estonia noted with appreciation that Kiribati has taken steps to implement the previous recommendations. Estonia invited Kiribati to guarantee the access to public information and ensure that journalists and media workers could operate without fearing reprisals. It further encouraged Kiribati to continue efforts to become part of all the main international human rights instruments and issue the standing invitation to special procedures. Estonia made recommendations.

34. France encouraged Kiribati to mobilize to promote the universal abolition of the death penalty. It also encouraged Kiribati to accede to those international instruments to which Kiribati was not a party. France welcomed the drawing up of the National Action Plan Eliminating Sexual and Gender Based Violence and encouraged Kiribati to fully implement it. France made recommendations.

35. Germany commended Kiribati's efforts to further strengthen human rights protection and implement the recommendations of the first round. It appreciated the establishment of a dedicated task force on human rights and the adoption or elaboration of legislation and policies to counter domestic violence and protect the rights of children. Germany made recommendations.

36. Ghana noted the legislative measures undertaken by Kiribati to incorporate human rights principles into its national legislation and applauded the acts and policies measures enacted to improve education and the welfare of the family. Ghana also commended Kiribati for taking measures to address sexual and gender-based violence, promote the participation of women in politics and increase the number of women recruited into the Police Service. Ghana made recommendations.

37. Indonesia noted with appreciation efforts taken by Kiribati to promote and protect human rights of its citizen. It also noted with appreciation the ratification of the CRPD in 2013, and that Kiribati was considering ratifying or acceding to other human rights instruments. Indonesia further noted Kiribati's efforts to reduce maternal and infant mortality. It made recommendations.

38. Ireland commended Kiribati's legislative reform in the field of children's rights. It welcomed the work undertaken to implement the *National Action Plan to Eliminating Sexual and Gender Based Violence*. However, it remained concerned at the high level of sexual and gender based violence. Ireland recognized the extreme challenges faced due to the effects of climate change and commended the establishment of national climate change institutions. Ireland made recommendations.

39. Israel commended Kiribati for incorporating human rights principles into national legislation. It celebrated the initiative to formulate a national policies and a plan of action to combat gender-based violence. It welcomed Kiribati's willingness to consider a constitutional amendment to expand the prohibited grounds of discrimination. Israel made recommendations.

40. Italy welcomed Kiribati's commitment in the field of human rights and commended the actions taken so far. It also welcomed the measures taken to address gender-based violence and promote women's rights. It encouraged Kiribati to refrain from any proposal or plan to reintroduce the death penalty. Italy made recommendations.

41. Kenya commended Kiribati's achievements in fulfilling its human rights commitments arising from previous recommendations. It welcomed the recent legislation to

criminalize domestic violence and provide for the safety and protection of its victims. Kenya made a recommendation.

42. The Maldives commended Kiribati's efforts in ratifying the CRPD and criminalizing domestic violence. It also applauded initiatives to address climate change. The Maldives urged Kiribati to address its issues of development, through a "sustainable means" lens, with focus on climate change adaptation and disaster reduction. It made recommendations.

43. Mexico commended Kiribati for the progress achieved since the first cycle which reflects its commitment to the promotion and protection of human rights as well as the willingness to cooperate with international mechanisms. Mexico also commended efforts made in terms of education, in particular the establishment of an inclusive education policy for boys and girls to finish their education at the primary level. Mexico made recommendations.

44. Montenegro recognized Kiribati's efforts to improve the institutional and legislative framework for human rights. It hoped that the National Approach to Eliminating Sexual and Gender Based Violence would help to effectively address this issue. Montenegro noted that there were several international human rights treaties which Kiribati was not a party to, while the reporting on the implementation of those conventions ratified so far was overdue. It encouraged Kiribati to seek and use technical assistance in order to strengthen its national capacities and fulfil its reporting obligations. Montenegro made recommendations.

45. Namibia commended Kiribati for the Children, Young Persons and Family Welfare Act 2013; the Education Act 2013; the establishment of the Ministry of Women, Youth and Social Affairs; and the National Approach to Eliminating Sexual and Gender Based Violence through the Policy and Action Plan for 2011-2021. Namibia made recommendations.

46. Netherlands appreciated that Kiribati had improved its environmental legislation, but stressed that more was needed to ensure that the population can fully enjoy its basic rights. It was concerned about the high rate of violence and sexual offenses against women and children, and would welcome a ratification of the Rome Statute. Netherlands made recommendations.

47. New Zealand congratulated Kiribati on introducing legislation to criminalise domestic violence, sharing Kiribati's concern about its continued high levels. It welcomed Kiribati's decision to oppose any introduction of the death penalty. It noted that Kiribati was yet to finalise its periodic reports to CEDAW. New Zealand made recommendations.

48. Philippines commended Kiribati for implementing its previous recommendations, noted progress in protecting the rights of women and children, welcomed the Education Act and enquired about human rights education programs in school curricula. It wished Kiribati success in formulating a national disability policy and commended the establishment of climate change institutions and committees. Philippines made recommendations.

49. Portugal welcomed Kiribati's ratification of CRPD, and its adoption of the Integrated Environmental Policy and the Joint Implementation Plan on Climate Change and Disaster Risk Management. It enquired about how principles such as non-discrimination and gender participation are integrated into these policies. Portugal made recommendations.

50. Sierra Leone commended measures and policies related to sexual and gender-based violence, children and youth, women and disabilities; the National Development Plan and the inclusion of reproductive health into national strategies. It encouraged Kiribati to establish a national human rights institution in line with the Paris Principles and submit outstanding reports to human rights treaty bodies. Sierra Leone made recommendations.

51. Singapore commended Kiribati's commitment to promoting and upholding human rights. It took positive note of Kiribati's commitment to tackle gender-based violence and its efforts to increase access to health and medical services. It was supportive of Kiribati's efforts to raise education standards. Singapore made recommendations.

52. Slovenia recalled its 1st cycle recommendations on ratification of human rights treaties and prohibition of corporal punishment. It welcomed Kiribati's efforts to incorporate human rights principles into its legislation and enquired about the rejection of sex and gender as prohibited grounds for discrimination in the Constitution. It welcomed efforts to improve access to education. Slovenia made recommendations.

53. Kiribati responded to questions raised in advance. It intended to apply for accreditation of the Kiribati National Human Rights Taskforce with the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights. Kiribati confirmed that its Constitution prohibited discrimination, and indicated the services provided to people with disabilities. Kiribati had involved civil society in the UPR process.

54. Kiribati had ratified CEDAW, CRC and CRPD, and withdrawn its reservations to CRC. It would accede to CRC's two first optional protocols and considered ratifying the remaining human rights instruments. No cases had been prosecuted under the Family Peace Act. The goal of the Male Advocates Programme, in which 110 men participated, was to increase the involvement of men advocating human rights and address domestic violence. Kiribati worked to ensure that all children attend primary school. It would provide statistical data on this in June.

55. Kiribati would extend a standing invitation to the UN Special Procedures. It listed the measures taken to implement the Family Peace Act 2014, the National Approach to Eliminating Sexual and Gender Based Violence and to meet the outstanding reporting requirements to CEDAW and CRC.

56. Kiribati was not going to reintroduce the death penalty.

57. Kiribati acknowledged the comments that were raised in relation to climate change and added that this was a major challenge, raising the existing challenges that Kiribati already faced in meeting its human rights obligations. Kiribati thanked those who commented on the need for stronger global action and support to countries like Kiribati in meeting the urgent challenges that are coming from climate change. It called on the international community to recognise the urgency of responding to those who are on the frontline now.

58. Solomon Islands commended efforts in implementing recommendations and the establishment of the Ministry of Women, Youth and Social Affairs and the National Human Rights Taskforce. It noted the progress made in drafting policies, enquired about the Male Advocates Program and encouraged Kiribati to seek international assistance. Solomon Islands made recommendations.

59. South Africa commended Kiribati's efforts in implementing recommendations and commitments from the last review. It noted the progress in the realization of the MDG target on hunger, and encouraged Kiribati to continue the promotion, protection and fulfilment of all human rights, including the right to development. South Africa made recommendations.

60. Spain highlighted the progress made in combating gender discrimination. It recalled its 2010 recommendation on strengthening the protection of women and ensuring equal opportunities. It stated that Kiribati had made efforts to protect the rights of persons with disabilities. Spain made recommendations.

61. Sri Lanka noted the positive developments, including policy initiatives to secure the rights of children and women, inclusive education and the establishment of the National Human Rights Taskforce. It urged the international community to provide technical assistance to Kiribati to enhance the capacity of the Taskforce. Sri Lanka made recommendations.
62. Sweden referred to a proposal to amend the penal code to reinstate the death penalty. It stated that corporal punishment is lawful within the day care system and that Article 226 of the Penal Code admits the administration of “reasonable punishment”. Sweden made recommendations.
63. Thailand commended Kiribati’s ratification of CRPD, the establishment of the National Human Rights Task Force and national legislative acts on the rights of women and children. It believed that the implementation of a universal health coverage scheme would be useful, offering to share its experience. Thailand made recommendations.
64. Timor-Leste noted with appreciation the withdrawal of all reservations to the CRC and the adoption of the Education Act 2013. It remained concerned with the high percentage of children that do not attend primary school, and in particular that pregnant girls are not allowed to attend school. Timor-Leste made recommendations.
65. Trinidad and Tobago was pleased that Kiribati had approved their Environmental Policy, and noted the action taken to preserve their first UNESCO World Heritage Site. It highlighted recent legislation to criminalize domestic violence, the ratification of CRPD and a draft national policy on the subject. Trinidad and Tobago made recommendations.
66. United Kingdom of Great Britain and Northern Ireland welcomed measures to combat gender-based violence, particularly the criminalisation of domestic violence through the Family Peace Act 2014 and the establishment of a Ministry for Women, Youth and Social Affairs. Concerned that levels of sexual and gender based violence remain high, United Kingdom encouraged Kiribati to quickly finalise the Family Peace Act Implementation Plan and to ensure perpetrators of domestic violence are prosecuted. United Kingdom made recommendations.
67. United States of America recognized that Kiribati has made advances in eliminating the worst forms of child labor by passing the Children, Young People, and Family Welfare Act, and welcomed efforts to address human rights abuses in Kiribati’s vast territory. Additional government efforts are needed to raise awareness and enforce this law as allegations of commercial sexual exploitation of children remain. United States made recommendations.
68. Uruguay welcomed the creation of the national human rights working group which, among other tasks, will coordinate the preparation and the submission of reports to treaty bodies. Uruguay also welcomed the adoption of the national approach to eliminate sexual and gender aggression. It emphasized the accession to CRPD and encouraged accession to ICCPR and ICESCR. Uruguay made recommendations.
69. Venezuela welcomed the implementation of children, young people and family welfare, education laws and the creation of the Ministry of Women, Youth and Social Affairs. Venezuela highlighted the launch of the 2012/2015 development plan designed to guarantee social protection and gender equality. Venezuela made recommendations.
70. Algeria welcomed the ratification of CRPD in 2013, praised efforts for the elaboration of an inclusive education policy and the implementation of a strategic plan on health. Algeria made recommendations.
71. Argentina congratulated accession to CRPD and encourages ratifying the CRPD Optional Protocol for individual communications. Argentina also welcomed the

implementation of children, young people and family welfare laws, with regards to assistance and social services. Argentina made recommendations.

72. Armenia welcomed Kiribati's readiness to accede to international human rights instruments to which is not a party yet. Armenia attached particular importance to the ratification of the Convention on the Prevention and Punishment of the Crime of Genocide. Armenia noted with satisfaction that people in Kiribati have free access to medical services. Armenia made recommendations.

73. Australia acknowledged ratification of CRPD and was encouraged by Kiribati's efforts toward the finalisation of a National Policy and Action Plan on Disability. Australia was also encouraged by the recent decision not to introduce the death penalty, but remained concerned about continuing high rates of domestic violence. Australia made recommendations.

74. Brazil noted with appreciation the inclusion in the Constitution of the prohibition of discrimination based on race, colour and national origin and welcomed measures taken to that end. Brazil also welcomed Kiribati's interest in extending an open invitation to the Special Procedures of the Human Rights Council, but was concerned at the situation of women and children victims of violence and sexual exploitation. Brazil made recommendations.

75. Canada welcomed steps taken to address violence against women and children, including sexual violence. Canada commended Kiribati for the ratification of the CRPD, and asked for additional information concerning the Government's funding of the school for persons with disabilities. Canada made recommendations.

76. Chile validated the implementation of children, young people and family welfare law, and education law, the Ministry of Women, Youth and Social Affairs, Te Rau n te Mweenga Law, and elimination of sexual and gender violence policy's endorsement. Chile also highlighted actions taken to reduce climate's change vulnerability. Chile made recommendations.

77. China stated that new legislation and reforms have been introduced to combat sexual violence, promote gender equality and women's development. Other notable progress was made in the protection of children's rights, public health, quality education and disability. China made recommendations.

78. Costa Rica recognized the Government's efforts to accede to various legal instruments, the measures taken to comply with the presentation of treaty bodies reports and its interest and commitment to cooperate with the United Nations human rights mechanisms. Costa Rica congratulated progresses made to improve women participation in politics and in decision making processes. Costa Rica made recommendations.

79. Cuba found encouraging the Government's endorsement of children, youth and family welfare and education laws, and the establishment of Women, Youth and Social Affairs Ministry. Other significant results were free access to medical services guaranteed by the Government and maintaining international cooperation agreements to continue improving the assistance to the population. Cuba made a recommendation.

80. Denmark noted that Kiribati during its first review took note of recommendations to ratify the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment and stood ready to explore avenues to assist the Government of Kiribati in advancing on this issue, in the context of the Convention against Torture Initiative launched in March 2014 by Denmark and other countries for the universal ratification and implementation of the Convention against Torture and its Optional Protocol. Denmark made a recommendation.

81. Fiji congratulated Kiribati for the progress made in activities concerning human rights. It asked what steps had been taken to implement the Pacific Platform on Disaster Risk Reduction and how other countries could assist in such implementation. It also asked about the results on changing attitudes and gender stereotypes. Fiji made recommendations.

82. The Head of the delegation of Kiribati thanked the members of the Troika, as well as the Human Rights Council's member and observer states for their contributions to the interactive dialogue. Kiribati will take into consideration comments and recommendations as it moves forward to further strengthen its human rights related institutional and legal framework.

83. Kiribati acknowledged the support of the international community as well as its key development and regional partners and looked forward to continuing this partnership. Kiribati reiterated that the greatest challenge remains the adverse effects of the changes to the climate system on the rights of Kiribati's people to survive: the UPR process will mean nothing if climate change is not addressed as an urgent and major challenge for human rights for all.

II. Conclusions and/or recommendations**

84. **The following recommendations will be examined by Kiribati which will provide responses in due time, but no later than the 29th session of the Human Rights Council in June 2015.**

84.1. **Accede and fully align its national legislation with the Rome Statute of the International Criminal Court (ICC), and accede to the Agreement on Privileges and Immunities of the Court (APIC) (Estonia);**

84.2. **Ratify the International Covenant on Civil and Political Rights (ICCPR) and the two optional protocols (ICCPR-OP1/OP2) (Estonia);**

84.3. **Ratify the International Covenant on Civil and Political Rights and its protocols (Montenegro);**

84.4. **Sign and ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Spain);**

84.5. **Ratify the International Covenant on Economic, Social and Cultural Rights and its Optional Protocol and establish a national institution for human rights in accordance with the Paris Principles, seeking international technical cooperation if necessary (Timor-Leste);**

84.6. **Ratify the International Convention on the Elimination of All Forms of Racial Discrimination, International Covenant on Economic, Social and Cultural Rights, International Covenant on Civil and Political Rights and its Second Optional Protocol aiming at the Abolition of the Death Penalty (Argentina);**

84.7. **Sign and ratify the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights (France);**

84.8. **Sign and ratify core international human rights instruments including the International Covenant on Civil and Political Rights (ICCPR)**

**Conclusions and recommendations will not be edited

and the International Covenant on Economic, Social and Cultural Rights (ICESCR) (Canada);

84.9. Take measures to ratify the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (Trinidad and Tobago);

84.10. Ratify core international human rights conventions – prioritising the International Covenant on Civil and Political Rights and the Convention against Torture (United Kingdom of Great Britain and Northern Ireland);

84.11. Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW) (Ghana);

84.12. Consider ratifying the Rome Statute on the International Criminal Court (ICC) (Ghana);

84.13. Consider ratifying the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) (Ghana);

84.14. Consider signing and ratifying the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Indonesia);

84.15. Ratify the Convention against torture and other cruel, inhuman or degrading treatment, as previously recommended (Denmark);

84.16. Ratify the Convention against Torture (Algeria);

84.17. Sign and ratify those core international human rights instruments to which Kiribati is not yet a party, particularly the ICCPR and its first and second protocols (Italy);

84.18. Accede to the Rome Statute of the International Criminal Court and fully implement its provisions (Italy);

84.19. Accede to the Rome Statute of the International Criminal Court and implement it into national law (Netherlands);

84.20. Ratify the Rome Statute of the International Criminal Court as well as its Agreement on Privileges and Immunities without formulating any reservation (Uruguay);

84.21. Accede to the Convention on the Prevention and Punishment of the Crime of Genocide (Armenia);

84.22. Consider acceding to the remaining core international human rights instruments, including the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights (Kenya);

84.23. Ratify the major international instruments including the ICCPR and the ICESCR (Sierra Leone);

84.24. Consider accession to the major international human rights instruments which it is not yet State party to, including ICESCR, ICCPR, and the two optional protocols thereto (Namibia);

84.25. Ratify the ICESCR as an important tool to give greater effectiveness to the protection of human rights in the context of climate change, as well as ICERD and the Convention against Torture (Portugal);

- 84.26. **Complete the process of ratification of the two Optional Protocols to the CRC (Algeria);**
- 84.27. **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Argentina);**
- 84.28. **Consider taking initial steps towards the ratification of other international human rights instruments that it is not yet a party to (Philippines);**
- 84.29. **Strengthen efforts on the full and effective implementation of the United Nations Human Rights Conventions that the country acceded to (South Africa);**
- 84.30. **Devise a national strategy for the ratification or adhesion to the core international human rights treaties (Costa Rica);**
- 84.31. **Amend its Constitution to include sex, gender and disability as grounds for non-discrimination (Israel);**
- 84.32. **Strengthen legal frameworks to effectively eliminate violence against women (Sierra Leone);**
- 84.33. **Conduct a wider review of its penal code in assessing its effectiveness to address domestic violence cases (New Zealand);**
- 84.34. **Ensure the appropriate implementation of the Te Rau N te Mwenga Law from 2014 to combat gender-based violence (Spain);**
- 84.35. **Ensure the effective implementation of the Family Peace Act to address the issue of domestic violence (Sri Lanka);**
- 84.36. **Swiftly finalize the Family Peace Act Implementation Plan to ensure the Act is effective in providing protection and redress for victims of domestic violence (United Kingdom);**
- 84.37. **Implement the Family Peace Act (2014) as a matter of priority to address domestic violence (Fiji);**
- 84.38. **Consider strengthening the independence of the Kiribati National Human Rights Task Force so that it complies with the Paris Principles (Germany);**
- 84.39. **Ensure that the Child Work Policy complies with human rights obligations and standards (Germany);**
- 84.40. **Establish an inter-institutional coordination mechanism to promote gender equality and the implementation of the Convention on the Elimination of All Forms of Discrimination against Women (Mexico);**
- 84.41. **Consider developing Human Rights Indicators, as suggested by the OHCHR, as an instrument that allows for a more precise and coherent evaluation of national human rights policies (Portugal);**
- 84.42. **Make every effort to finalize policies in the areas of disability, inclusive education, child labor, gender equality and women's development and to progress in achieving measurable results in their implementation within the timeframe prior to its next UPR (Solomon Islands);**
- 84.43. **Continue its work towards the development of a National Disability Policy and a Child Labour Policy (Trinidad and Tobago);**

- 84.44. Complete the CEDAW reports before the due date in 2015 (New Zealand);
- 84.45. Speed up formalities for the submission of pending reports to CEDAW (Spain);
- 84.46. Consider issuing standing invitations to all Special Procedures (Ghana);
- 84.47. Extend standing invitations to all human rights special procedures (Montenegro);
- 84.48. Take all measures necessary to eliminate discrimination against women in all areas, including access to land and employment, as well as economic and political participation (Namibia);
- 84.49. Design a targeted campaign challenging patriarchal attitudes and gender stereotypes (Slovenia);
- 84.50. Decriminalize homosexuality and sign the Joint Declaration of the United Nations General Assembly of 18 December 2008 regarding human rights, sexual orientation and gender identity (France);
- 84.51. Decriminalize consensual sexual relations between adults of the same sex (Slovenia);
- 84.52. Adopt measures for the decriminalization of consensual same sex sexual relations (Chile)
- 84.53. Introduce legislation to satisfy its commitments on equality and non-discrimination, including as it pertains to same sex relations (Canada);
- 84.54. Adopt legislation prohibiting all forms of discrimination of individuals, based on race, colour of the skin, religion, national or ethnic origin, disability, aesthetic aspect, gender, sexual identity or orientation (Uruguay);
- 84.55. Strengthen the measures aimed at guarantee gender equality, in particular with regard to the transfer of Kiribati nationality to the children of Kiribati's women born abroad, in compliance with Article 9, paragraph 2, of CEDAW. (Argentina);
- 84.56. Halt any plans to reinstate the death penalty (Sweden);
- 84.57. Establish a formal moratorium on the death penalty, with a view to ratifying the Second Optional Protocol to the ICCPR (Australia);
- 84.58. Implement the National Action Plan Eliminating Sexual and Gender Based Violence and review its laws, policies and practices which perpetuate discrimination against women and girls and their marginalization, in accordance with the Convention on the Elimination of All Forms of Discrimination against Women to which Kiribati is party to (France);
- 84.59. Take all necessary measures to address domestic violence and sexual harassment as well as social discrimination against women, in accordance with the Convention on the Elimination of All Forms of Discrimination against Women (Italy);
- 84.60. Continue to vigorously implement the National Approach to Eliminating Sexual and Gender Based Violence in Kiribati to ensure the full enjoyment of human rights for all persons, and accede to the Optional Protocol

to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (Germany);

84.61. Continue efforts in implementation of its National Approach to Eliminating Sexual and Gender Based Violence in Kiribati (South Africa);

84.62. Enact legislation to cover all forms of violence against women (including physical, sexual, trafficking, sexual harassment, stalking, psychological, and economic), protection orders, ancillary civil orders, criminal process and procedure, evidence laws and police powers (Ireland);

84.63. Reinforce its policies and develop specific programs aimed at preventing and effectively responding to domestic violence against women, including cases of rape within the family (Brazil);

84.64. Continue to implement initiatives such as a referral network (SafeNet) and pursue preventive measures aimed at reducing the levels of violence against women (Australia);

84.65. Strengthen the measures to stop violence against women, including information and awareness raising programs (Chile);

84.66. Continue to take steps to tackle gender-based violence (Singapore);

84.67. Keep its commitment and continue to work with partners nationally, regionally and internationally to implement its action plan to promote women's rights and combat violence against women (Israel);

84.68. Continue to take concrete measures to prevent violence and sexual offences against women and children and to ensure prosecution of perpetrators of such violence (Netherlands);

84.69. Intensify its efforts in raising awareness within communities and providing additional training for the police and the judiciary to ensure that victims of sexual and gender-based violence receive adequate medical support and legal aid (Thailand);

84.70. Pursue preventative measures on domestic violence such as community education and police training (New Zealand);

84.71. 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);

84.72. Repeal the right "to administer reasonable punishment" and clearly prohibit corporal punishment in all settings, including in the home (Sweden);

84.73. Continue reinforcing the plans and programs for the eradication of corporal punishment of children in the schools as well as in the home (Chile);

84.74. Efficiently combat international trafficking in young women and prosecute the authors of such crimes (France);

84.75. Actively conduct education and awareness campaigns on the issue of child prostitution, particularly in well-known meeting places of foreign crew members. These campaigns should make clear that under Kiribati Law, the crime of sex trafficking includes subjecting a child to prostitution even in the absence of transnational movement or the use of force or coercion (United States of America);

- 84.76. Step up the implementation of existing legislation against sexual exploitation of children and adolescents in the country, as well as in its territorial waters, including through raising public awareness on how to prevent and fight this unacceptable practice (Brazil);
- 84.77. Adopt a list of hazardous work activities prohibited for children, and better enforce existing laws to fully protect children from the worst forms of child labour and all forms of sexual exploitation (United States of America);
- 84.78. Establish formal procedures to proactively identify trafficking victims among vulnerable populations and refer them to protective services (United States of America);
- 84.79. Promote and support the participation of women in decision-making at all levels (New Zealand);
- 84.80. Continue policies and programs aiming at the improvement of women participation in the political life and decision-making processes, including through measures aimed at reserving a quota in positions in the Parliament and Administrations to women, following international good practices. (Costa Rica);
- 84.81. Decriminalize defamation and include it under the Civil Code in accordance with international standards, develop self-regulatory mechanisms of the media and strengthen the professional standards of journalism in the country (Estonia);
- 84.82. Take steps to ensure the availability of adequate food and freedom from hunger for its citizens (Ireland);
- 84.83. Heed the recommendations of the Special Rapporteur on water and sanitation regarding improvements to water and sanitation infrastructure (Slovenia);
- 84.84. Strengthen implementation of the human right to sanitation at the national level as well as the promotion of hygiene (Spain);
- 84.85. Ensure affordable access to water and sanitation, and that the price paid for access to these rights is not incompatible with access to other rights such as food, housing or education (Spain);
- 84.86. Strengthen its legal and institutional frameworks with respect to the implementation of human rights and the right to water and sanitation (Trinidad and Tobago);
- 84.87. Continue consolidating the programs of social protection which are being implemented in order to offer greater well-being and quality of life to its people (Venezuela (Bolivarian Republic of));
- 84.88. Continue the implementation of actions included in the national Development Plan in order to achieve a greater social protection and gender equality (Cuba);
- 84.89. Continue its efforts to reduce the maternal and infant mortality rates (Indonesia);
- 84.90. Urgently take appropriate measures to address high infant and child mortality rates (Maldives);
- 84.91. Adopt sanitation and residual water treatment strategies in order to prevent the high rate of child mortality due to water-related diseases (Mexico);

- 84.92. Continue to improve its health system and ensure access to quality health for all (Singapore);
- 84.93. Improve its public health system, especially to upgrade the existing facilities in both central and local hospitals nationwide, as well as to put in place measures to reduce infant mortality, malnutrition, and epidemics, especially HIV/AIDS (Thailand);
- 84.94. Further promote the right to health in Kiribati, in particular by providing access to essential healthcare facilities (Armenia);
- 84.95. Following the enactment of the Education Act (2013), adopt policies and regulations to strengthen access to and quality of education, which is free and compulsory for all school-aged children (Maldives);
- 84.96. Finalize the development of the Inclusive Education Policy giving effect to all school aged children and young person's Right to Education (South Africa);
- 84.97. Ensure birth registration is available to all its citizens and provide free, inclusive and compulsory education for all children (Sierra Leone);
- 84.98. Continue its efforts to raise education standards and improve access to education (Singapore);
- 84.99. Expedite its work on policy formulation on inclusive education with particular focus on girls (Sri Lanka);
- 84.100. Enshrine the right to education in its Constitution and allow pregnant girls to pursue their education in schools of their choice (Timor Leste);
- 84.101. Ensure that pregnant girls and young mothers have the opportunity to continue their education (Slovenia);
- 84.102. Further increase inputs in education and further improve school enrolment rate (China);
- 84.103. Continue to boost its well-established education policies which guarantee a quality education system for all (Venezuela);
- 84.104. Continue the elaboration of the National Disability Policy and ensure effective implementation in line with the Convention on the Rights of Persons with Disabilities, and accede to the Optional Protocol to the Convention (Germany);
- 84.105. Continue its efforts to promote and protect all human rights, in particular those of persons with disabilities (Portugal);
- 84.106. Strengthen policies on accessibility to ensure that persons with disabilities can enjoy their rights (Spain);
- 84.107. Continue to take into consideration the adverse impacts of climate change to people's access to food and clean water, particularly the most vulnerable sectors of society (Philippines);
- 84.108. Consider strengthening the positive impact expected from the Kiribati Joint Implementation Plan on Climate Change and Disaster Risk Management on human rights through training of relevant stakeholders on human rights approaches to Climate Change and Disaster Risk Management (Solomon Islands);

- 84.109. Continue its leadership role and advocacy with the international community, including through the Coalition of Low Lying Atoll Nations on Climate Change (CANCC) and the Alliance of Small Island States, on the need for ambitious and binding targets for greenhouse gas emissions in order to mitigate the negative effects of climate change on human rights (Fiji);
- 84.110. Continue its mainstreaming of climate change adaptation across developmental activities with the assistance of the international community (Fiji);
- 84.111. Pay attention to the effects of climate change on environment and social development (China);
- 84.112. Cooperate with UN Agencies, regional bodies and development partners in building capacities, training and exchanging human rights expertise and experiences with other Pacific Island countries (Israel);
- 84.113. Request technical assistance from the United Nations programmes, funds and bodies to comply with the commitments made in terms of human rights such as the presentation of reports, the drafting of plans and programmes to strengthen human rights (Mexico);
- 84.114. Intensify efforts to secure support and assistance of the international community in pursuing its climate change adaptation and mitigation plans (Philippines);
- 84.115. Seek technical assistance from relevant UN agencies in order to better implement its international human rights obligations (Sierra Leone);
85. All conclusions and/or recommendations contained in the present report reflect the position 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 Women, Youth and Social Affairs, Honorable Tangariki Reete, and composed of the following members:

- Honorable Titabu Tabane, Attorney General;
 - H.E. Makurita Baaro, Ambassador of Kiribati to the UN in New York;
 - Mr. Moote Korina Anata, Deputy Secretary for Ministry for Women, Youth and Social Affairs;
 - Mr. Teurakai Ukenio, Child Protection Officer;
 - Mrs. Anne Kautu, Senior Women Development Officer;
 - Ms. Tarema Henry Desk Officer for Multilateral Affairs. Permanent Mission of Kiribati to the UN in New York.
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