



**Country session: Kiribati CRC**

**Date of session: 18<sup>th</sup> and 19<sup>th</sup> of May (90<sup>th</sup> session)**

**Context**

The review was delayed due to the Covid-19 pandemic, which disrupted the normal planning of the CRC Sessions. The State delegation participated remotely in the dialogue with the Committee. Therefore, the dialogue lasted 4 hours, instead of 6 hours as for the in-person reviews. The pre-session was held in Samoa as part of the [extraordinary session](#).

**Background information**

[OHCHR press release](#)

**Webcast:** [first part](#) and [second part](#)

**Audio file:** [first part](#) and [second part](#)

**Reporting**

*Reporting methodology*

**Standard reporting procedure**

**Simplified reporting procedure**

**Concluding Observations with urgent measures**

*State report*

<a href="#">Common core document</a>	
Updated document	31 May 2019

<a href="#">CRC</a>	
No. of report	2 <sup>nd</sup> to 4 <sup>th</sup>
Due date	9 July 2011
Submission	13 February 2019

<a href="#">Written replies</a>	
Due date	30 June 2020
Submission	2 July 2020

*Public reports from children’s rights defenders*

<b>Alternative reports and additional information</b>	
<b>NGOs</b>	Not available
<b>NHRIs</b>	Not available



## State delegation

The [State delegation](#) was small with ten persons representing high level, representing four sectors such as Women, Youth, Sports and Social Affairs, Justice, Health and Education.

## Committee's Task Force members

Name & Last Name	Country
<b>Philip Jaffé (coordinator)</b>	<b>Switzerland</b>
Aïssatou Alassane Sidikou	Niger
Clarence Nelson	Samoa
José Rodrigues Reyes	Venezuela

## Dialogue description

- Character of the dialogue

The dialogue was cooperative. Overall, the questions were answered generally, and more politically than technically.

- General assessment made by the Committee

The Committee mentioned that the three leading players in charge of the implementation and coordination in Kiribati are the Ministry of Women, Youth, Sport and Social Affairs, the Human Rights Office within the Ministry of Justice and the Human Rights Taskforce. However, the Committee had some doubts about which ministry/office does what exactly and what kind of resources each one of them possess. Especially, the Committee wanted to know what the budget of the Ministry of Education in relation to the Ministry of Women, Youth, Sport and Social Affairs is. Also, it is believed that many actions are carried out by the human rights divisions. Still, it is unclear if those divisions have a guiding document on how to act and if this document is available in a child-friendly format.

- Main issues discussed:

## General measures of implementation

- **Data Collection** : The Committee raised questions concerning the availability of data collection. The data shows that progress is being made despite many challenges. However, a lot of crucial data is missing, in particular data on violence and harmful practices against children. Therefore, the Committee wondered if there would be a comprehensive and regular effort to collect data on all aspects of children. The State delegation did not reply to this question.

## Definition of the child

- The Committee mentioned that there is some confusion concerning the definition of the child, the legal age to marry with or without parental consent and the legal age of consent to sexual acts. The State agrees that any person under the age of 18 is considered a child, and if a child marries, then the marriage is void. Still, the legal marriage age is 21 and a person who is 18 years old needs parental consent. The State also said that sexual intercourse under the age of 15 is illegal.

## Violence against children

- **Corporal punishment** : Violence against children and especially corporal punishment was mentioned by the Committee, as there is a high risk of physical punishment in Kiribati. In addition, Kiribati has the highest prevalence of girls who justify wife-beating when the traditional gender roles are not respected. Hence, the Committee asked what the State is doing to address the root causes of violence against children, and it was said that this issue should be the highest priority of the State. The State acknowledged that this is a serious concern and, therefore, to address this issue of violence against children, they have developed the child protection referral pathway and programmes for parents. In addition, the education act prohibits all kinds of violence and, in particular, corporal punishment in school settings. However, the States says that it is very challenging to change the way of thinking of parents and communities.

- **Abuse and neglect, including sexual exploitation and abuse** : In addition, it was asked if there are any reporting mechanisms for sexual abuse cases, how does the criminal procedure look like and if these cases may end in convictions. The Committee asked if fishing licences are sufficient to prevent sexual abuse of children on fishing vessels. The State replied that they provide police protection, shelter and helplines to children and women who were abused. Especially social welfare officers are the people that children can contact if they are abused.

#### Civil rights and freedoms

- **Birth registrations and nationality** : The Committee asked questions on citizenship and said if a Kiribati mother is born outside of the territory, then she cannot pass her citizenship on to her children. The State answered by saying that there are ongoing reviews to address the obstacles of gender inequality which prevent conferring nationality to the children and spouses. Furthermore, the Committee stated that many do not have a birth certificate, and it was asked how it is possible to obtain the certificate in a reasonable time frame for children with disabilities or born out of wedlock. The State mentioned the geographical challenges such as the existence of only one registration office in the outer islands and delays caused by the transportation of the paper forms to the capital city as the reasons why many do not possess a birth certificate. To address this issue, the State has introduced a programme called “the mobile birth registration”.

#### Recommendations of the Committee

In its Concluding Observations, the Committee drew the State party’s attention to the need for urgent measures concerning the following areas:

- Children in street situation
- Sale, trafficking and abduction
- Corporal punishment

#### Special protection measures

- **Children in street situation** : The Committee urges the State to conduct a study on why and how many children end up in street situations to provide and support them to have an adequate standard of living. Thereby, the child’s best interests and views should be considered.
- **Sale, trafficking and abduction** : Regarding the sale, trafficking and abduction of children, the Committee recommends adopting various measures to address and prosecute the perpetrators. In addition, mechanisms for prevention, protection and rehabilitation for victims should be established. Most importantly, the perpetrators of girls’ trafficking and their sexual exploitation in prostitution should be adequately examined, punished and prevented in particular within the fishing industry. Awareness-raising programmes which inform children and their parents on the risks and consequences of sale, trafficking and abduction are crucial.

#### Violence against children

- **Corporal punishment** : The Committee urges the adoption of a law which prohibits corporal punishment within all environments, including homes, alternative care facilities, and prisons. At the same time, the State should revoke “the right of reasonable punishment” from its Penal Code. The “Child Safe Schools Policy” should be implemented, and teachers should be trained with non-violent methods to educate children. In addition, a child-friendly complaint mechanism to report violence should be available in all settings. Also, awareness-raising programmes targeting parents and people working with children are crucial to encourage them to use non-violent methods.

The Committee drew the State party’s attention to the recommendations concerning the following areas:

- General measures of implementation : the Committee’s previous recommendations, legislation, comprehensive policy and strategy, coordination, allocation of resources, data collection, independent monitoring, dissemination, awareness-raising and training, children’s rights and the business sector
- Definition of the child
- General principles : non-discrimination, best interests of the child, respect for the views of the child
- Civil rights and freedoms : birth registration and nationality
- Violence against children : abuse and neglect, including sexual exploitation and abuse, harmful practices, helplines
- Family environment and alternative care : family environment, children deprived of a family environment
- Children with disabilities
- Basic health and welfare : health and health services, mental health, adolescent health, the impact of climate change on the rights of the child and environmental health, standard of living
- Education, leisure and cultural activities : Education, including vocational training and guidance
- Special protection measures : economic exploitation, including child labour, administration of child justice

### **Sustainable Development Goals**

The Committee recommended the realization of children’s rights in accordance with the Convention and the Optional Protocols thereto throughout the process of implementing the 2030 Agenda for Sustainable Development and urged the State to ensure the meaningful participation of children in achieving all 17 Sustainable Development Goals.

Throughout its Concluding Observations the Committee referred to the following targets:

- 10.3 to end all kinds of discrimination against marginalized and vulnerable children in particular girls, children with disabilities or children living in poverty.
- 16.9 to provide birth registrations to all children and ensure that children can inherit their nationality through mother and father to prevent statelessness.
- 5.2, 16.1 and 16.2 to combat all kinds of violence against children and in particular gender-based violence with strong legal institutions and settings.



- 5.3 to ensure gender equality by preventing child marriage which particularly affects girls and their physical and mental well-being.
- 2.2, 3.2 and 3.8 to improve malnutrition and bad health conditions, which affect the mortality rates of infants and children.
- 3.4 to adequately address mental health issues of children and provide accessible and affordable mental health services.
- 3.5, 3.7 and 5.6 to provide adequate and mandatory education on sexual and reproductive health in schools to inform, to give access to contraceptives and to decriminalize abortions.
- 1.5, 13.1, 13.2 and 13.3 to prevent poverty caused by climate change and to adequately react and educate on the effects of climate change.
- 1.1, 1.2 and 1.3 to guarantee an adequate standard of living for children by providing accessible and free services without any discrimination.
- 4.1 and 4.2 to ensure that everyone has access to good quality education and prevent dropouts by providing human, financial and technical resources.
- 8.7 to ensure an undangerous work environment for working children and to adopt legislative and administrative measures to prevent the sale and trafficking of children.

### Next State report

CRC	
No. of report	Fifth to seventh report
Due date	09.01.2027

**Disclaimer:** Child Rights Connect reports are all drafted in English. If the State report and/or the alternative reports were submitted in another UN language (Spanish, French, Arabic, Russian or Chinese) the report will be translated accordingly.