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**Republic of Kiribati**

**Written responses to outstanding questions due 48 hours after the State’s dialogue with the CEDAW Committee at the 75th Session of the CEDAW Committee, 21st February 2020.**

**1. Article 10: Education**

1. **Financial Support to Senior Secondary Education**

The two financial support provided to students in the Senior Secondary Level are:

Free Education which replaces school fee subsidy and this is only offered to students in forms 4 to 6 or Grades 10 to 12 meeting a certain criterion being – attains Grade 1 – Grade 6 (50% - 100%) in English, Maths, Kiribati and 3 other subjects in Junior Secondary Certificate examination and grade 1 – grade 6 (50% - 100$) in all the 5 subjects in Kiribati National Certificate Examination.

Students who meet these criteria are eligible for Government’s support but if they do not, they will be required to meet the expense associated with it. The idea behind this is to uplift parents’ support to their children in encouraging and motivating their children to their studies/school work and also encourages students to work hard so that they pass and are able to access Government’s free education award.

School Fee Support Scheme for the Underprivileged – this replaces the school fee support scheme which was usually offered to eligible form 4 to form 6 students. Currently this support scheme is only offered to underprivileged Form 7 students whose parents are either disabled or dead while the other parent does not make a living. As long as they are accepted into Form 7 and provide proof that one of their parents is either disabled or dead and the other doesn’t make a living.

There is no support to parents who are too poor because it is expected that parents can make use of their talent (making handicraft, sewing, fishing, vegetable export/selling, etc) to earn money, can make use of Government’s increase in the price of copra to make money and other Government avenues. Support to school fee is only provided to Form 7 students whose parents are underprivileged as they do not have the support of the other parent.

Senior Secondary education is made available and accessible to students including girl students who live on outer islands that do not have such schools through the free education policy where students who meet the criteria and are eligible are provided:

* free transport to the destination of their school
* Free transport to schools on the outer island

The gap though remains for students who do not meet the criteria for free education and have to pay all expenses associated with getting them to their school. The idea behind this is to allow students to work hard in school and do their best in order to meet the criteria for free education while their parents are also required to support their children’s education through encouraging and motivating them to study hard and work hard in school.

**ii. School Drop Outs – Girls and Learning Opportunities**

According to information from the Education Sector, with the establishment of the Research Unit within the Ministry of Education, their data shows that there are more boys dropping out of school than females and also the fact that girls are outperforming boys in school and the realization and the change in perceptions about education for girls having changed with parents seeing family benefits in having their daughters educated especially as education is free and more accessible.

To promote girls to go to school and prevent them from dropping out of school, it is incorporated in MWYSSA’s positive parenting program. The positive parenting program was carried out in all outer islands of Kiribati which includes educating parents on their Child’s Right to Education. A consultation with all school principals and teachers has also been carried out as well. Social Welfare through the counselling unit plan for 2020 is to carry out a school counselling program to Junior and Senior Secondary Schools on South Tarawa first to target students who are at risk of dropping out. This program was initiated after the counselling unit last data reporting showed that 95% of high school student counselled are at risk of dropping out. This program is inclusive to all boys and girls.

The Ministry of Education has a new division known as the Research Unit responsible for data collection which is useful for decision making.

There are other learning opportunities available to out of school girls such as the Kiribati Institute of Technology offering short courses to students who do not complete their high school education. The KIT provides equal access to both girls and boys and does not restrict girls from enrolling in mechanical or engineering courses known to be male-dominant courses. KIT is dedicated to providing assistance for I-Kiribati workers to connect with employers and prepare for overseas employment. The Centre works closely with the Ministry of Employment and Human Resource in providing a range of services such as pre-departure briefing programs and industry-specific English language courses. KIT also provides a learning pathway to Kiribati which is called the Australia Pacific Training Coalition (APTC) which offers programs and qualifications from Certificate III to Diploma level in the Automotive, Manufacturing, Construction, Electrical, Tourism, Hospitality, Education, Management and Health and Community Services Industry sectors. Over 440 I-Kiribati nationals have succeeded from APTC on decorating, plumbing and wall and floor tiling. The program is also gender inclusive to males and females of Kiribati.

There are also other programs such as life skills training, skills building, YES I DO training aimed at young couples and loan scheme for drop out youths to equip them with necessary and relevant life skills that can assist them in making a living. The loan scheme is limited to only 20 applicants every time it comes out but this also greatly assists youths start off their business and make an earning for themselves.

**iii. Obligations under Education Act - Compliance Data**

Data on parents being fined for not sending their children to compulsory education is still a problem given compliance and monitoring of this aspect of the law is still lagging behind and needs more work.

Data also on percentage of school aged girls going to school is still a problem which is one of the activities under the Kiribati National Disability Policy 2018 – 2021 to strengthen and improve data collection in this respect.

**iv. Gendered Vocational Education**

All students have the right to choose whichever course they wish to take; they are not stopped from applying to whichever course they wish to and they are given the liberty to make their own choice.

The Kiribati Institute of Technology has a quota for females to apply in male dominant courses to allow and encourage more females to get out of their comfort zone and try something new.

**v. Pregnant Girl Mothers**

In Kiribati, the Government through the Ministry of Education is now implementing section 41(2) of the Education Act 2013 which states that the ‘Principal or a body responsible for disciplinary matters, must not take disciplinary action against a student because the student is pregnant of is a parent’.

After birth, girl mothers can still go back to school and are encouraged to go back to school to complete their education. But they are expected to make arrangements to catch up on their school work with the help of their friends and teachers (for enlightening).

**2. Article 11: Employment**

1. **Sexual harassment**

The Government through the Public Service Office, has a division called the Public Service Performance and Service Management that receives complaints against public officers or Civil Servants from the public. Complaint of sexual harassment against public officers can be directed to this division. However, this office does not have any jurisdiction to impose penalties for sexual harassment and has very limited power to conduct investigation into such conduct as the police or the court does. As sexual harassment is a crime under section 112 of the Employment and Industrial Relations Code Act 2015 as amended; the division, would refer the case to the Police for investigation and prosecution.

The penalty for sexual harassment is a fine of $1,000. Under the National Conditions of Services, disciplinary action would be conferred against a public officer who is convicted of any crime including sexual harassment. Punishment against the officer includes termination.

In the case of private companies or businesses; there is currently no mechanisms for women to lodge complaints of sexual harassment but they could lodge their complaint at the Police for investigation and prosecution. The State does not have information on whether the companies or businesses have internal mechanisms to address sexual harassment or whether it is ground for termination for perpetrating employees. However, it is common that convicted employees in the private sectors who need to serve their sentence in prison would be terminated considering that he would have to miss work. It is admitted that since the penalty for sexual harassment is a fine only, it is likely that if the perpetrator manages to pay his fine then he would keep his employment with the company and therefore risks the complainant to further harassment or fear. The delegation noted this concern and will flag it as an area to address in its legislative reform or by negotiating the issue with the private sector. Part VI of the Act provides for Collective Bargaining and therefore the issue could be agreed in this process. As of date, there is currently no Agreement entered and registered addressing sexual harassment. Also, the Government has a strong relationship with the private sector through the Kiribati Chamber of Commerce and so there is confidence that development on this area of sexual harassment will be supported from this sector.

1. **Forced labour**

Section 121 of the Employment and Industrial Relations Code Act 2015 defines forced or compulsory labour as any work or service that is exacted from a person under the menace of any penalty. Exceptions are the work or service exacted as consequence of a court sentence/judgment or exacted in the case of emergency such as in war, disasters etc or unpaid labour or minor communal work that are reasonable as part of communal or civic duties.

There is no record of any complaints or cases of forced labour and therefore, response could be given at this stage on the number or type of forced labour that exist in Kiribati. No record or data comparing the engagement of women, men and children in any forced labour.

1. **Measures to facilitate transition of women into paid regular work.**

In terms of legislative measures; Part XII of the Employment and Industrial Relations Code Act 2015 as amended has provisions to boost women’s engagement in paid employment by prohibiting discrimination from the recruitment stages (eg advertisement of vacancy, job requirements except for inherent requirements of the job, to actual conduction of the job). The Act also provides for training to prospective employees and therefore this enactment facilitates the transition of women into regular employment in the Government sector. Further under the Education Act 2013 as amended; School is compulsory and free up to Junior Secondary levels and statistics showed that there is a higher enrolment of girls than boys. This imply that more girls have gained up to Junior Secondary School qualification and in turn, more women who have qualification in this level.

Policy-wise; the Ministry for Women, Youth, Sport and Social Affairs has many plans and programs to build the confidence and capacity of women in order for them to be able to apply for jobs or set up businesses to earn their income. Most of the policies and programs are stated in the state report and mentioned during the dialogue.

**3. Article 12: Health**

1. **Measures to improve maternal, neonatal, prenatal and postnatal care and promote sexual reproductive health and rights of women and girls.**

The Ministry of Health and Medical Services has rolled out programs for reproductive health rights to improve maternal, new born and child health.

Under the Reproductive, Maternal, Neonatal, Child and Adolescences (RMNCAH) program is conducted in communities both on the capital and outer islands supported with a lot of awareness raising programs. To avoid angering the church, the message of promotions and awareness programs was changed from ‘family planning’ to ‘health of the family’.

Contraceptive supplies are available at all clinics and hospitals (4 main ones, 2 on the capital island, 1 at Tabiteuea Island for the Southern Islands and 1 at Kiritimati island for the Line and Phoenix islands). This is done to increase accessibilities and utilization. Information on the different types of contraceptives are also provided through radio awareness programs, Posters and Charts as well as distributed pamphlets. As a way forward, the Ministry of health will continue its promotion on contraceptive methods and continue its RMNCAH programs funded under its current budget and also with assistance of the Government’s donor partners. It is will be one of the priorities to strengthen support towards women’s sexual and reproductive health rights.

As an attempt to address Population growth, the Parliament set up a Population Select Committee to review the issues of over-population with membership from Members of Parliament from different political parties. In their course of duties; the Committee invited the major churches (Catholic and Protestant) to discuss overpopulation with the use of contraceptives as part of their agenda. This has hopefully helped gained these churches’ support for the use of contraception. There is no impact assessment or report on the outcome and success of this discussion.

Medical Assistant are placed at every outer island and routinely (eg every quarter) to build their capacity as they are Heading the medical services delivery at the outer islands in place of doctors.

Other programs of the Government on health that are related to women are;

* Solar systems installed in clinics to improve storage of medical supplies including contraceptives.
* Sexual Reproductive Health Rights program to support youths to know their rights and address teenage pregnancy issues.
* Mobile health check services available during awareness programs throughout the capital and some of the outer islands as well.
* As part of the RMNCAH program, 5 midwives were recruited and trained to provide these services to 13 Health Centres (HCs) in Tarawa. Information of health services in these clinics including clinic data will be analyzed to see the impact of these health workers’ services in these communities.
* Institution of a birth registration system to record and register births at the hospitals and clinics.
* The 'First 1000 days – from conception’ program which includes training programs such as to front-line workers and nurse aids in villages to support early pregnancies.
1. **Abortion**

Abortion is criminalized under the Penal Code Cap 67 but medically, there are known cases of abortion in incidences where it is a matter of life and death for the mother and that the child would survive the birth. This is seen from the usual practice where the husband or next of kin (parents) of the women would be given a consent form to approval medical treatment to the patient that may result in life or death of the mother or the child. However, there is no official data on this information and it is unclear on whether the life of the mother would be prioritized over the child or vice-versa (could be the prerogative of the husband or parents of the patient). As for abortion in cases of rape, incest (as a very taboo issue in the patriarchal traditional system) or any unwanted pregnancy; the Government will need to convince the churches to accept legalizing abortion in such circumstances and get support from the general public. No support has been acquired yet and therefore no immediate plan to decriminalized abortion in these circumstances.

1. **Remedies to the limited use of contraceptive choices and unwanted pregnancies**

As mentioned, the Government will continue to do its awareness programs and promotions on the use of contraceptives as well as availing the supplies at all the hospitals and clinics to increase accessibility and use.

Changing the mindset of the people and the church is key to effectively remedy the problem of limited use of contraceptives. The Government needs to lobby hard to the church to take the idea onboard fully from the point of view that it is a ‘family health’ issue instead of merely a ‘family planning’ issue.