



**Country session: Federated States of Micronesia**

**Date of session: 4<sup>th</sup> of March 2020 (extraordinary 84th session in Samoa)**

**Context**

This was the first time any of the UN human rights treaty bodies held a session at the regional level. "By holding a session in the Pacific, we wanted to draw the world's attention to the pressing issues affecting the enjoyment of children's rights in the region," said Luis Pedernera, Chair of the Committee.

**Background information**

[OHCHR press release](#)

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

**Reporting**

*Reporting methodology*

**Standard reporting procedure**

Simplified reporting procedure

Concluding Observations with urgent measures

*State report*

Common core document	
<a href="#">Initial submission</a>	April 1996

CRC	
No. of report	2 <sup>nd</sup>
Due date	3 June 2000
Submission	12 January 2018

Written replies	
Submission	21 February 2020
Due date	15 October 2019

*Public reports from children's rights defenders*

Alternative reports and additional information	
<b>NGOs</b>	WORLD Policy Analysis Center, University of California Los Angeles Juvenile Justice Advocates International Global Initiative to End All Corporal Punishment of Children



## State delegation

The delegation of the Federated States of Micronesia was small. It was composed by the Deputy Chief of Mission in Fiji, the Assistant Attorney General, the Early Childhood Education Program Coordinator of the Ministry of Education and the Chief of Social Policy of the Department for Health and Social Affairs.

## Committee's Task Force members

Name & Last Name	Country
Mr. Benyam Dawit Mezmur	Ethiopia
Ms. Amal Salman Aldosseri	Bahrain
Mr. Philip Jaffe	Switzerland
Mr. Jose Angel Rodríguez Reyes	Venezuela

## Dialogue description

### i. Character of the dialogue

The dialogue with the delegation of Micronesia was cooperative and interactive. The delegation was able to answer most of the questions posed by the Committee

### ii. General assessment made by the Committee

The Committee was pleased that Micronesia had sent its second periodic report almost 20 years after the first initial report, which is sign of Micronesia's commitment to the rights of the child. The Committee also welcomed the ratification of the Optional Protocol to the Convention on the sale of children, child prostitution and child pornography in 2012, the Optional Protocol to the Convention on children involved in armed conflict in 2015.

The Committee was aware of the challenges faced by Micronesia, but encouraged the State to strengthen the cooperation among institutions in order to improve the implementation of the Convention and stressed that Committee members would take into account the State's budget limitations when making the recommendations.

### iii. Main issues discussed:

- General measures of implementation:** The Committee asked how Micronesia coordinates the implementation of the Convention, awareness-raising programmes and the collection of disaggregated data. The Committee also recommended to take measures to allocate a sufficient budget for the implementation of children's rights in all States. Finally, it encouraged the delegation to establish a national human rights mechanism to monitor children's rights. The delegation responded that in order to coordinate the implementation of the Convention, they had limited resources and capacities to be able to implement all the principles of the Convention. They have created a task force who works in human rights issues, and therefore also for child rights. Collection of disaggregated data is a challenge for Micronesia due to the dispersion of the Islands, but they are working to improve it. They have started to implement awareness raising programs and have included children in the consultations. Regarding the allocation of resources, they do not have specific allocation for the application of the Convention, but it is included in their annual budget.
- Definition of the Child:** The Committee noted that in one of the states of Micronesia, the minimum age for marriage have been raised to 18 for boys and girls. The Committee asked if in the other states is also aligned



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with the Convention and if not, if they have a timeframe to do it. The delegation replied that the age of marriage is under state jurisdiction. There are already several states that are changing the legislation in this regard. The national government is in charge of monitoring compliance with the Convention. The delegation also emphasized that neither under customary law marriage under 18 cannot be legal.

- **Corporal Punishment:** The Committee asked if physical punishment is clearly banned in all areas and also recommended to introduce awareness raising programs to parents and people working with children to promote alternative non-violence methods of discipline. The delegation responded that they have special mechanisms to monitor cases of corporal punishment in schools, because in the past it was an accepted practice, now if a school does not comply with national legislation and the principles of the Convention, it will not receive any subsidies. In order to stop with this practice also at home, the State is carrying out public awareness raising campaigns. They have also set up a confidential hotline to report such cases and ensure the well-being of victims.
- **Best interest of the child:** The Committee was concerned about how the best interest of the child can be guaranteed, as it is provided for in different legislations, but there is no institution with supremacy to ensure that this principle is fully respected. The delegation stressed that they are working for a mindset changing in their society. They are doing awareness raising efforts with their communities to ensure that the Micronesian society understands, respects and implements the CRC principles.
- **Education:** The Committee enquired the delegation whether Micronesia has special training programs for teachers and whether they include the Convention, Human Rights and sexual education in the curriculum. The Committee also asked how the quality of education will be ensured in all states and what efforts have been made to retain pregnant girls in schools. The delegation of Micronesia responded that they don't have yet Human Right education in the school curriculums, but they are working to include it. However, they have included sexual education in the curriculum, have already completed the first cycle and are going to analyse the impact of the program. Also, they have established programs to improve the quality of education, including teacher training. The delegation stated that they have programs to reintegrate girls who have given birth to school.
- **Children with Disabilities:** The Committee stressed the need to carry out awareness-raising campaigns to combat stigmatization of children with disabilities, to renew its policies in this area, to include children with disabilities in regular education and to provide them with special services adapted to their accessibility needs. The delegation responded that they have special services in schools for children with disabilities and that they are including their needs in the new accessibility plans. They indicated that they are reviewing an updated disability policy and that, once revised, they will conduct awareness campaigns and consultations at the national and state levels. Their main objective is to change the mindset of society to include these children as actors of change.
- **Basic health and welfare:** The Committee was concerned about the health-care system and asked the delegation about measures taken to improve access, reduce the high mortality rate of children under five and promote vaccination. The delegation acknowledged that although the infant mortality rate is lower, it has not reached the target. They are working to reduce the causes of child mortality by establishing alternative clinics to detect high-risk pregnancies in remote areas and provide vaccination coverage during the first year of life. They were also working in schools to detect malnutrition, and had set up a programme to collect data on that subject. In remote areas, since they did not have the capacity to build functional hospitals, they had dispensaries so that people living on all islands had access to health care. The Government is updating nutrition and health safety policies to improve the capacity of health services and ensure quality.
- **Impact of climate change in the rights of the child:** The Committee asked whether natural disaster risk management takes into account the needs of children and adolescents. The delegation of Micronesia



expressed the importance of climate change on its islands. They are obliged to make policies on climate change under their national legislation, and it is a priority for them. For disaster risk management, they have a national department that deals specifically with the issue. To address this problem, they have undertaken a number of initiatives based on collaboration between states to identify all factors at risk. They have identified children as a population at risk because of this fact and are working to achieve their greater well-being. The delegation noted the difficulty of the problem and the need for collaboration. They also noted that families are aware of the problem and are changing their lifestyles to help reduce climate change. Awareness raising campaigns are being conducted with children to make them aware of the situation.

## Recommendations of the Committee

In its [Concluding Observations](#), the Committee drew the State party's attention to the recommendations concerning the following areas:

- **Definition of the Child:** The Committee urges the State party to ensure that the definition of a child in all national and state laws is in line with the definition in the Convention; to explicitly prohibit by law all marriage, including customary marriages, for boys and girls under the age of 18 years, and ensure that the minimum age of marriage is established in law at 18 for both girls and boys in all states, including in the outer islands.
- **Corporal punishment:** The Committee urges the State party to explicitly prohibit, as a matter of priority, corporal punishment in law in all settings, including in the home, in schools, in childcare institutions in alternative care settings and in penal institutions; to develop teacher training on alternative, non-violent forms of discipline and ensure that it is part of pre-service and in-service training programmes; to provide children with a complaints mechanism, especially in schools, to safely and confidentially report teachers and others who use corporal punishment and to conduct awareness-raising programmes for parents and professionals working with and for children to promote attitudinal change within the family and at the community level with regard to corporal punishment and to encourage the use of alternative, non-violent forms of discipline.
- **Children with disabilities:** The Committee recommends the State party to adopt a national policy on disability aimed at strengthening health-care services for children with disabilities and ensuring that all children with all types of disability enjoy inclusive education; to increase budget and expenditures for children with disabilities; to improve access of children with disabilities to all public and private buildings, spaces, service delivery and transportation in all areas, especially in the outer islands; to ensure that all schools have specialist teachers and professionals providing individual support and that teaching staff are adequately trained and to expand community-based rehabilitation, early identification and referral programmes to cover all children with disabilities and provide the necessary human, technical and financial support to service providers and families of children with disabilities.
- **Abuse, neglect and sexual exploitation and abuse:** The Committee urges the State party to strengthen community-based awareness-raising and education programmes, with the participation of children, aimed at preventing and tackling domestic violence, child abuse and sexual exploitation, particularly targeting children, families, communities and schools; to amend legislation to ensure that children are protected from all forms of violence and abuse, including mental, verbal and emotional abuse; to harmonize the minimum age for sexual consent in all states and ensure that adolescents who engage in consensual sexual acts with each other are not criminalized; to establish confidential, child-friendly mechanisms, procedures and guidelines to ensure mandatory reporting of all cases of abuse against children, and ensure that all cases are promptly investigated and prosecuted and that perpetrators are duly punished; to provide child victims with child-friendly and multisectoral remedies and comprehensive support, including psychological, recovery and social integration assistance, and encourage courts to make use of the child-friendly and multi-agency arrangement for



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obtaining testimony from children; to consider designating a specialized police unit to handle cases of violence against and sexual exploitation and abuse of children, and ensure specialized personnel for dealing with such cases; to prevent the re-victimization of child victims and witnesses of crime by ensuring safe, child-friendly and closed-circuit criminal proceedings involving children, with particular emphasis on their protection and confidentiality, and taking into account the Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime; to criminalize the sale and exploitation of children for prostitution and child sexual abuse material in line with articles 2 and 3 of the Optional Protocol to the Convention on the sale of children, child prostitution and child pornography, which the State party ratified in 2012.

- **Impact of climate change on the rights of the child:** The Committee recommends the State party to ensure that the special vulnerabilities and needs of children, as well as their views, are taken into account in developing policies and programmes addressing the issues of climate change and disaster risk management; to increase children's awareness and preparedness for climate change and natural disasters by incorporating it into the school curriculum and teachers' training programmes and increasing physical safety and resilience of school infrastructure; to review emergency protocols to include assistance and other support for all children, particularly those with disabilities, during emergencies and natural disasters; to improve data and assessments to have an evidence base for risk reduction and preparedness, particularly for the distinct needs and priorities of children with disabilities.

Some of the most important recommendations made by the committee have been developed above, but the Committee also drew the State party's attention to the recommendations concerning the following areas:

- **General measures of implementation:** Legislation; Comprehensive policy and strategy; Coordination; Allocation of resources; Data collection; Independent monitoring; Discrimination, awareness-raising and training.
- **General principles:** Non-discrimination; Best interest of the child; Right to life, survival and development; Respect for the views of the child.
- **Civil rights and freedoms:** Birth registration; Right to privacy; Access to appropriate information.
- **Violence against children:** Harmful practices; Helplines.
- **Family environment and alternative care:** Children deprived of a family environment; Adoption.
- **Basic health and welfare:** Mental health; Adolescent health.
- **Education, leisure and cultural activities:** Education, including vocational training and guidance; Human Rights education; Rest, leisure, recreation and cultural and artistic activities.
- **Special protection measures:** Economic exploitation, including child labour; Sale trafficking and abduction; Children in situation of child justice.
- **Ratification of the OPIC.**
- **Ratification of international Human Rights instruments.**
- **Cooperation with regional bodies.**

## Sustainable Development Goals

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

- 3.4 on reducing by one third premature mortality from non-communicable diseases through prevention and treatment and promote mental health and well-being.
- 3.7 on ensuring universal access to sexual and reproductive health-care services, including for family planning, information and education, and the integration of reproductive health into national strategies and programmes
- 3.8 on achieving universal health coverage, including financial risk protection, access to quality essential health-care services and access to safe, effective, quality and affordable essential medicines and vaccines for all.



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- 4.1 on ensuring that all girls and boys complete free, equitable and quality primary and secondary education leading to relevant and effective learning outcomes.
- 4.2 on ensuring that all girls and boys have access to quality early childhood development, care and pre-primary education so that they are ready for primary education.
- 4.7 on ensuring that all learners acquire the knowledge and skills needed to promote sustainable development, including, among others, through education for sustainable development and sustainable lifestyles, human rights, gender equality, promotion of a culture of peace and non-violence, global citizenship and appreciation of cultural diversity and of culture's contribution to sustainable development.
- 5.2 on eliminating all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation.
- 5.6 on ensuring universal access to sexual and reproductive health and reproductive rights as agreed in accordance with the Programme of Action of the International Conference on Population and Development and the Beijing Platform for Action and the outcome documents of their review conferences.
- 8.7 on taking immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms.
- 10.3 on ensuring equal opportunity and reduce inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard.
- 13.5 on promoting mechanisms for raising capacity for effective climate change-related planning and management in least developed countries and small island developing States, including focusing on women, youth and local and marginalized communities.
- 16.2 on ending abuse, exploitation, trafficking and all forms of violence against and torture of children.
- 16.9 on providing legal identity for all, including birth registration.

## Next State report

CRC	
No. of report	3 <sup>rd</sup> to 7 <sup>th</sup>
Due date	3 June 2025

**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.