

Kiribati CRPD Legislative Review

CRPD and Training-of-Trainers Workshops

14 – 16 February 2024, Tarawa, Kiribati

Concept Note

A. Background

1. The United Nations (UN) Convention on the Rights of Persons with Disabilities (CRPD), including its Optional Protocol, was adopted by the United Nations General Assembly (UNGA) in December 2006, opened for signature on 30 March 2007, and entered into force in May 2008. As the first comprehensive human rights treaty, the CRPD seeks to respect, protect and fulfil the rights of persons with disabilities. It also marks a paradigm shift from a traditional welfare and medical understanding of persons with disabilities as objects of charity to a social model of disability that empowers them as rights holders to enjoy all human rights and fundamental freedoms, and dignity.

2. Kiribati acceded to the CRPD on 27 September 2013, signifying the commitment of the Government of Kiribati (hereinafter “Government”) to improve lived experiences and human rights of persons with disabilities, tackling the deep attitudinal, pursuing societal, structural and institutional reforms to implement disability inclusive development that would improve the life opportunities of citizens with disabilities. This effort, led by the Ministry of Women, Youth, Sport and Social Affairs (MWYSSA), with the development of the first [Kiribati National Disability Policy and Action Plan \(KNDPAP\) 2018-2021](#), launched in 2018.

3. The Kiribati National Human Rights Task Force (KNHRTF), established in 2014, submitted [Kiribati’s Initial Report](#) (hereinafter “Initial Report”) to the Committee on the Rights of Persons with Disabilities (hereinafter “CRPD Committee”) in February 2019, following the obligations set out in Article 35 (Reports of States Parties) of the CRPD. Following which, the Committee submitted a [List of issues in relation to the initial report of Kiribati](#) (hereinafter “List of Issues”) in April 2023.

4. Between the submission of the Initial Report to the CRPD Committee and the issuance of the List of Issues, the Government, through the Office of the Attorney General (OAG) and MWYSSA, communicated a technical assistance request to the conduct a review of legislations of Kiribati in compliance with the CRPD (hereinafter “Legislative Review”)¹ and a

¹ The technical assistance to conduct the Legislative Review was implemented by the United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP), in partnership with the Pacific Islands Forum Secretariat (PIFS), Pacific Disability Forum (PDF), the Secretariat of the Pacific

review of the KNDPAP 2018-2021 to inform the new edition of KNDPAP. The recommendations from these two reviews include:

- Developing a standalone Disability Inclusion Act; and
- Mainstreaming of disability rights into existing legislations.

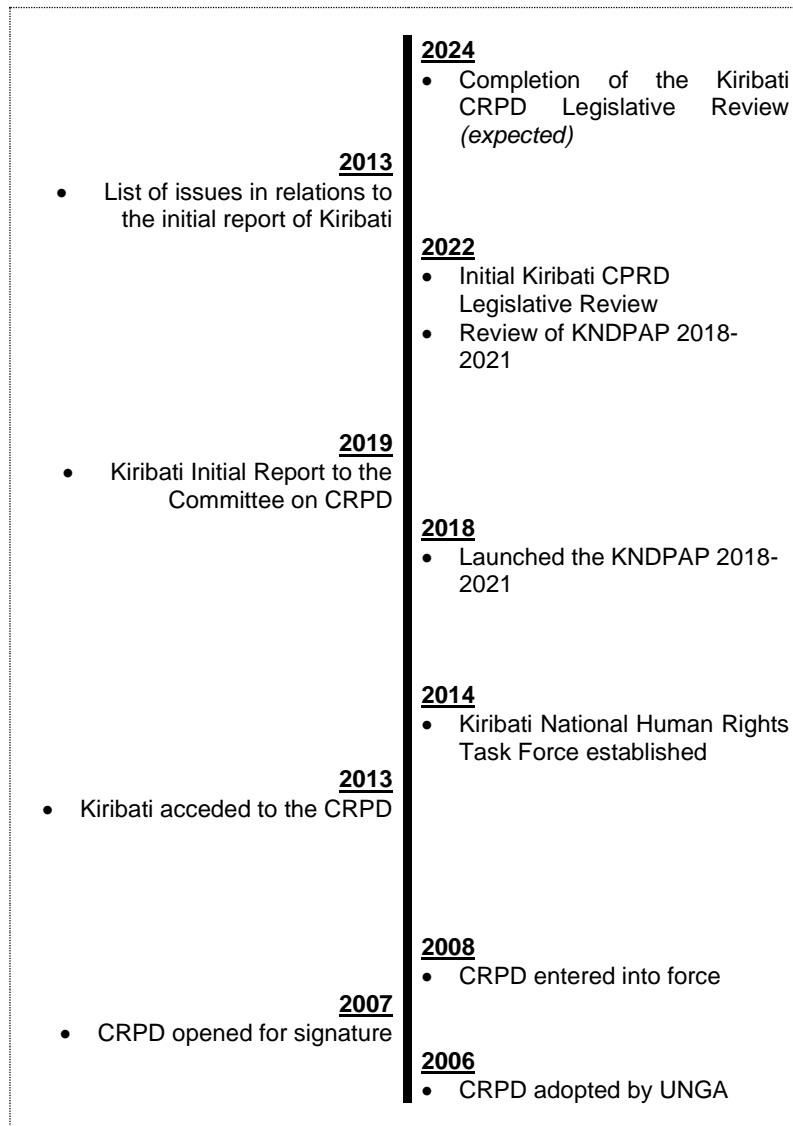


Figure 1 Timeline of Kiribati's CRPD initiative

B. Workshops' Objectives

5. The part of the Government stakeholders engagement effort, the CRPD Workshop and Training-of-Trainers (ToT) Workshops will be held back-to-back from 14 to 16 February 2024 at Te Toa Matoa, Nanikaai, Tarawa, Kiribati.

Community (SPC) and the Office of the United Nations High Commissioner for Human Rights (OHCHR).

6. The CRPD Workshop serves as a validation process, seeking further input to finalize the Legislative Review. The ToT Workshop aims to strengthen awareness on the CRPD through socialization and application of CRPD principles at community-level, enhance understanding of compliance gaps in the national laws, and build capacity for future CRPD-related reporting.

7. Both CRPD and ToT Workshops also aim to serve as a preparatory exercise and capacity building for the relevant key stakeholders to implement the recommendations to develop a standalone Disability Inclusion Act and to mainstream disability rights into existing legislations.

8. The CRPD Workshop will be mainly facilitated by ESCAP Consultants, Ms. Hasna Cheema and Mr. Tearinaki Tanielu, as well as ESCAP Regional Adviser for Micronesia, with the support of staff members of MWYSSA. The ToT Workshop will be led by ESCAP Consultants, Ms. Hasna Cheema and Mr. Tearinaki Tanielu, and facilitated by staff members of MWYSSA, as well as Disability Inclusion experts from Te Toa Matoa (TTM) and other organizations of persons with disabilities (OPD) as resource persons.

C. Target Participants

9. The target participants are stakeholders from the relevant line Ministries, in particular KNHRTF, and non-governmental organizations (NGOs), including TTM, the Kiribati School & Centre for Children with Disabilities (KSCCD), the Kiribati Deaf Association (KDA) and other OPDs, as well as faith-based organizations (FBO).

10. Approximately 30 representatives are envisaged to participate in the CRPD and ToT Workshops, including facilitators, moderators and speakers.

D. Expected Outcomes of the Workshops

11. The outcomes of the CRPD Workshop are expected to validate, as well as update and refine, if required, towards completing and finalizing the Legislative Review.

12. The outcomes of the ToT Workshop are expected to increase knowledge and application of CRPD principles, enhance understanding of CRPD compliance gaps in the national laws, and strengthen capacity in preparing future CRPD-related reporting.

E. Tentative Programme

Date: 14 - 16 February 2024
 Venue: Te Toa Matoa Boardroom

Time	Programme
Day 1 - CRPD Workshop	
09:30 – 10:00	Registration
10:00 – 10:05	Opening Prayer
10:05 – 10:15	Opening Remarks
10:15 – 10:20	Group Photo
10:20 – 10:30	Introduction and Overview of the Kiribati CRPD Legislative Review
10:30 – 10:45	Complementary Remarks
10:45 – 11:00	<i>Morning tea break</i>
11:00 – 12:00	<p>Session 1: Kiribati CRPD Legislative Review - Constitutional and Criminal legislations</p> <p><i>This session provides an overview of constitutional provisions and criminal laws in relations to CRPD compliance gaps, including recommendations to align with the CRPD, and followed by Q&A.</i></p>
12:00 – 13:00	<p>Session 2: Kiribati CRPD Legislative Review - Electoral, Health, Education and Family laws</p> <p><i>This session presents an overview of electoral, health, education and family legislation in relations to CRPD compliance gaps, including recommendations to align with the CRPD, and followed by Q&A.</i></p>
13:00 – 14:00	<i>Lunch</i>
14:00 – 15:00	<p>Session 3: Kiribati CPRD Legislative Review - Immigration & Citizenship, Jury, Evidence, Procedural Accommodation & Prison</p> <p><i>This session highlights the compliance gaps of immigration & citizenship, jury, evidence, procedural accommodation & prison legislations, as well as recommendations to align with the CRPD. This is followed by Q&A.</i></p>

Time	Programme
15:00 – 16:00	<p>Session 4: Kiribati CRPD Legislative Review - Labour & Employment, ICT & Infrastructure (buildings, roads & transport) public service, Social Protection, Disaster Management</p> <p><i>This session provides an overview of labour & employment, ICT & infrastructure (buildings, roads & transport) public service, social protection, disaster management legislation in relations to CRPD compliance gaps, including recommendations to align with the CRPD, and followed by Q&A.</i></p>
16:00 – 16:05	Running through of Day 2 programme

Day 2 (AM) - CRPD Workshop	
09:30 – 10:00	Registration
10:00 – 10:05	Running through of Day 2 programme
10:05 – 10:45	<p>Session 5: List of Issues on Kiribati Initial Report to CRPD Committee</p> <p><i>This session will discuss the list of issues raised by CRPD Committee related to Kiribati Initial State Report. This session will also deliberate on the recommendations from the Kiribati CRPD Legislative Review in response or address to the issues.</i></p>
10:45 – 11:00	Morning tea break
11:00 – 11:45	<p>Session 6: Kiribati CRPD Legislative Review and Legal Reforms – Implementation of the Recommendations</p> <p><i>This session will walk through on the proposed legal reforms and discuss way forward to implement the recommendations to develop a standalone Disability Inclusion Act and mainstreaming of disability rights into existing legislations.</i></p>
11:45 – 12:00	Wrapping up and next steps
12:00 – 13:00	Lunch

Day 2 (PM) - ToT Workshop	
13:00 – 13:05	Prayer
13:05 – 13:15	Remarks by Representative from an OPD
13:15 – 13:20	Group Photo
13:15 – 13:30	Introduction to the CRPD ToT Workshop

Time	Programme
13:30 – 14:15	<p>Session 1: Introduction to CRPD</p> <p><i>This session focus on purpose, principles, CRPD concept of disability in comparison to other approaches and responsibilities and obligations of different stakeholders among others.</i></p>
14:15 – 15:00	<p>Session 2: Disability and discrimination on the basis of disability</p> <p><i>This session discusses different approaches to disability, CRPD concept of disability and key principles of rights based approach and non discrimination as defined in CRPD, concept of reasonable accommodation and specific measures to address discrimination.</i></p>
15:00 – 15:15	<p>Summing up and run through of Day 3</p>

Day 3 - ToT Workshop	
09:30 – 10:00	Registration
10:00 – 10:45	<p>Session 3: Use of discriminatory terms across Kiribati legal system</p> <p><i>This session provides an overview of discriminatory terms used in constitutional, civil and criminal law in the light of draft CRPD legislation report.</i></p>
10:45 – 11:00	Morning tea break
11:00 – 11:45	<p>Session 4: CRPD National implementation and monitoring frameworks</p> <p><i>This session provides an overview of stakeholders involved in CRPD implementation, government and independent implementation and monitoring mechanisms.</i></p>
11:45 – 12:30	<p>Session 5: Overview of nature of legal gaps in general and compliance issues in the light of CRPD legislative review</p> <p><i>This session will focus on the general legal gaps followed by key compliance issues in different sectors as highlighted in the CRPD legislative review.</i></p>
12:30 – 13:30	Lunch
13:30 – 14:15	<p>Session 6: Identify legal gaps and propose recommendations (Group work)</p> <p><i>In this session, participants will break into groups, specific law will be provided the group and given the exercise to identify legal gaps and propose remedial measures to fix discriminatory laws. This will be followed by group presentations.</i></p>

Time	Programme
14:15 – 15:00	Session 7: Q&A
15:00 – 15:15	Wrapping up and next steps
15:15 – 15:30	Closing Remarks