

Universal Periodic Review

(51st Session)

Contribution of UNESCO to Compilation of UN information

Micronesia (Federated States of)

I. RATIFICATION OF UNESCO CONVENTIONS

<i>Title</i>	<i>Date of ratification, accession, acceptance, approval or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>	<i>Reference to the rights within UNESCO's fields of competence</i>
Convention concerning the Protection of the World Cultural and Natural Heritage (1972)	Acceptance on 22 July 2002			Right to take part in cultural life
Convention for the Safeguarding of the Intangible Cultural Heritage (2003)	Ratification on 13 February 2013			Right to take part in cultural life
Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)	Not ratified			
Convention against Discrimination in Education 1960	Not ratified	Reservation to this Convention shall not be permitted		Right to education

II. REVIEW OF LEGISLATIVE, REGULATORY AND POLICY FRAMEWORKS AND IMPLEMENTATION

A. RIGHT TO EDUCATION

Discrimination in education (UNESCO consultations)

1. Micronesia submitted a report for the 10th consultation on the Convention and Recommendation against Discrimination in Education but did not for the 11th consultation.

Constitution and main education law(s)

2. The [Constitution of Micronesia](#) enshrines the right to education for all (article 13 section 1) and contains a provision on equal protection of the laws (article 4 section 4).
3. No provision enshrining the right to education or a non-discrimination principle in education has been identified in the legislation at the federal level or states law.
4. The [Education Code of the Federal States of Micronesia of 2014](#) provides for eight years of compulsory education, from 6 to 14 years old (paragraph 104) but does not contain any provision of free education. These are the minimum standards; therefore, States can prescribe for longer compulsory education and the age of beginning compulsory education can be set at a later age. For example, per the [Code of the State of Pohnpei as amended in 2012](#), education is mandatory from 6 to 15 years old in Pohnpei (paragraphs 103 and 111). However, in [Yap State](#), education is mandatory according to the education code of Micronesia, therefore only for eight grades (paragraph 202). No provision guaranteeing free and compulsory pre-primary education has been identified at the federal level nor at the state's level.

Legal age of marriage

5. No legal provision establishing a minimum age of marriage has been identified at the federal level or in the State of Yap. In the States of Kosrae ([Kosrae State Code as of 1997](#), section 16.101), Pohnpei ([Code of the State of Pohnpei of 1999, as of 2012](#), paragraphs 2-101 and 2-105), and Chuuk ([Chuuk State code](#), paragraphs 1021 and 1024), the legal age of marriage is set at 18 for boys and 16 for girls, with parental consent required for girls between 16 and 18. However, in Pohnpei and Chuuk, these provisions apply only to marriages involving two non-citizens or a non-citizen and a citizen. For marriages between citizens, "recognized customs" are deemed sufficient, although these customs are not clearly defined in the law. According to the [Joint CEDAW-CRC General Recommendation/Comment](#), child marriage, also referred to as early marriage, is any marriage where at least one of the parties is under 18 years of age.

Corporal punishment

6. While the [Code of the State of Pohnpei](#) prohibits corporal punishment in schools, it allows for the use of "reasonable force", which leaves room for interpretation. No provision regarding corporal punishment has been identified in the legislation of the Federated States of Micronesia.

Minimum age of employment

7. No provision setting a minimum age for work has been identified in the legislation. According to ILO Convention 138 (Minimum age convention) "The minimum age [for admission to employment or work] shall not be less than the age of completion of compulsory schooling and, in any case, shall not be less than 15 years". However, the minimum age can be lowered to 14 years under certain circumstances (article 4).

Enrolment rates

8. Most recent UIS available data for 2024 for the enrollment rates (%) is as follows:

	Pre-primary education (net)	Primary education (gross)	Secondary education (gross)	Tertiary education (gross)
Girls	21.72	82.57	<i>No data</i>	<i>No data</i>
Boys	21.75	81.78	<i>No data</i>	<i>No data</i>
Total	21.74	82.16	<i>No data</i>	<i>No data</i>

Investment in education

9. According to UIS data, in 2020, the government expenditure on education as a percentage of GDP was 11.56%, and 18.61% of the total government expenditure.

Right to education

10. During the last cycle, Micronesia was recommended to promote the right to education and to consider policy measures in furtherance of the right to education (86.109 and 86.110). In that regard, UNESCO Regional Office for the Pacific States reported that the Federated States of Micronesia are going through a transformation phase of its Education Management Information System, as there has been a lack of data for reporting especially against the SDG4 indicators. The current priority of UNESCO Regional Office for the Pacific States is to help countries such as Micronesia improve their Education Data systems for better planning.

B. RIGHT TO FREEDOM OF OPINION AND EXPRESSION AND RIGHT TO INFORMATION

Constitutional and Legislative framework

11. Freedom of expression is enshrined under Section 1 of Article 4 of the 1978 Constitution of the Federated States of Micronesia.¹

12. Freedom of information is not guaranteed through legislation.² However, a Freedom of Information Bill was introduced in 2021 to Congress for review.³

13. Defamation remains a criminal offence in Micronesia outlined in the Penal Code.⁴

¹ See the Constitution of the Federated States of Micronesia at:

<http://www.fsmsupremecourt.org/WebSite/fsm/constitution/constitution.htm>

² https://www.unodc.org/roseap/uploads/archive/documents/pacific/2020/UN-PRAC_Paper_-_Status_of_Right_to_Information_in_Pacific_Island_Countries.pdf

³ <https://fsmembassy.fm/president-panuelo-submits-freedom-of-information-act-to-22nd-fsm-congress/>

⁴ http://www.fsmlaw.org/fsm/decisions/vol11/11fsm388_392.htm

14. The Telecommunications Corporation Act was adopted in 1981 creating the authority responsible for telecommunication services.⁵

Implementation of legislation

15. Radio communications are regulated by the Radio Communication Act 1991.⁶
16. Broadcasting regulation in Micronesia is carried out by the Broadcast Authority. The Authority is directed by a board of five members who serve terms of two years. Members of the agency's governing body take office upon appointment by the Governor and approved by the Legislature.⁷

Safety of Journalists

17. Since 2006, when systematic monitoring began, UNESCO recorded no killing of journalists in Micronesia, on its Observatory of Killed Journalists.⁸

C. THE RIGHT TO SHARE IN SCIENTIFIC ADVANCEMENT AND ITS BENEFITS

18. The Constitution of the Federated States of Micronesia contains no reference to the right to share in scientific advancement and its benefits or science-related rights.
19. The Federated States of Micronesia is not a signatory to the ICESCR, despite recommendations to ratify it (A/HRC/47/4/Add.1; A/HRC/WG.6/37/FSM/1, [28]).
20. In its Third Cycle National Report (2020), no mention was made of science or science-related policies. No explicitly science-related Recommendations were made, nor were any Recommendations made in respect of the right to share in scientific advancement and its benefits or its inherent rights such as scientific freedom. The Federated States of Micronesia did not submit its national report on the implementation of the Recommendation on Science and Scientific Researchers for the first consultation covering the period from 2017 to 2021, nor has it yet done so for the second consultation from 2021 to 2025.

⁵ https://fsmlaw.org/fsm/code/title21/T21_Ch02.htm

⁶ http://www.paclii.org/fm/legis/consol_act_2014/t193/ ; <https://live-production.wcms.abc-cdn.net.au/0b84d5008d31884de305c579e8da8792>

⁷ http://www.fsmlaw.org/kosrae/code/title07/t07p01c01.htm#section_7_103_appointment_process

⁸ Accessed on 15 May 2025.

III. RECOMMENDATIONS

A. RIGHT TO EDUCATION

21. Micronesia should be encouraged to:
- i. Ratify the Convention against Discrimination in Education.
 - ii. Enshrine the right to education within the legislation.
 - iii. Guarantee in the legislation at least nine years of compulsory primary and secondary education.
 - iv. Guarantee in the legislation at least twelve years of free primary and secondary education, of which at least nine are compulsory.
 - v. Introduce legislation to make pre-primary education free and compulsory for at least one year.
 - vi. Continue its efforts to strengthen policies in furtherance of the right to education, notably by working closely with UNESCO Regional Office for the Pacific States.
 - vii. Explicitly prohibit corporal punishment in the legislation of all States.
 - viii. Set a minimum age for work, which should be aligned with the age of end of compulsory education.
 - ix. Ensure regular reporting to UIS on education data, especially on secondary and tertiary education.
 - x. Regularly submit comprehensive national reports for the periodic consultations on UNESCO's education-related standard-setting instruments, and notably on the Recommendation against Discrimination in education.
 - xi. Share with UNESCO any relevant information to update its country profile on UNESCO's [Observatory on the Right to Education](#) and [HerAtlas](#).

B. RIGHT TO FREEDOM OF OPINION AND EXPRESSION AND RIGHT TO INFORMATION

22. The Government is encouraged to introduce an access to information law that is in accordance with international standards.
23. The Government is recommended to decriminalize defamation and place it within civil defamation legislation that is in accordance with international standards.

C. RIGHT TO FREELY PARTICIPATE IN THE CULTURAL LIFE OF THE COMMUNITY (CULTURAL RIGHTS)

24. Micronesia (Federated States of) is encouraged to ratify the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005). The UNESCO Culture Conventions promote access to and participation in cultural

heritage and creative expressions and, as such, are conducive to implementing the right to take part in cultural life as defined in article 27 of the Universal Declaration of Human Rights and article 15 of the International Covenant on Economic, Social and Cultural Rights. In doing so, Micronesia (Federated States of) is encouraged to facilitate the participation of communities, practitioners, cultural actors and NGOs from the civil society as well as vulnerable groups (minorities, migrants, refugees, young people, indigenous peoples and persons with disabilities), and to ensure that equal opportunities are given to women and girls to address gender disparities.

D. THE RIGHT TO SHARE IN SCIENTIFIC ADVANCEMENT AND ITS BENEFITS

25. The Federated States of Micronesia is invited to continue its efforts to ensure the full and comprehensive implementation and monitoring of the Recommendation on Science and Scientific Researchers in accordance with the relevant Decisions of UNESCO's Executive Board (216 EX/Decision 45 of May 2023). In that context, the Federated States of Micronesia is invited to engage with UNESCO's Program on the promotion of scientific freedom and the safety of scientists and support the related Call to Action in line with the Recommendation and decisions of UNESCO's General Conference (42 C/Resolution 26 of November 2023) and Executive Board (219 EX/Decision 30 of March 2024). The Call to Action underlines the need to protect science and scientific researchers, and to allow for a free and safe science ecosystem where there is trust in science and where scientific evidence informs decision making. UNESCO stands ready to support the Federated States of Micronesia in developing and nurturing its science ecosystem, and protecting its scientific researchers, including through the incorporation of appropriate legal and administrative measures in line with international law. The Federated States of Micronesia is invited to collaborate directly with UNESCO, through its Secretariat and specialised Sectors, for that purpose.
26. Against this background, the Federated States of Micronesia is invited to consider the following:
 - i. Submit a national report to the 2nd consultation on the implementation of the Recommendation on Science and Scientific Researchers in line with the Circular Letter by UNESCO's Director-General (CL/4448 of 28 November 2024) and the guidelines contained therein.
 - ii. Explore ways to strengthen the status of the right to share in scientific advancement and its benefits in its legal system, including in its Constitution and any other appropriate legal and policy frameworks.
 - iii. When implementing measures to guarantee the right to freedom of opinion and expression, the right to information, and the right to education, include within those measures the freedoms indispensable for scientific research, and access to scientific education at all levels.
 - iv. Expand input on issues covered by UNESCO's Recommendation in its national report to the UPR – particularly providing information about the implementation of the right to science and scientific freedom, including the latter in its report addressing more broadly freedom of opinion and expression. This will allow further discussions thereon at the Human Rights Council and

- v. the formulation of specific recommendations.
- v. Ratify the ICESCR and its Optional Protocol.