

Universal Periodic Review

(51st Session)

Contribution of UNESCO to Compilation of UN information

Nauru

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)	Ratification on 22 July 2024			Right to take part in cultural life
Convention for the Safeguarding of the Intangible Cultural Heritage (2003)	Ratification on 1 March 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. Nauru did not submit a report to the 10th and 11th consultations on the implementation of the Convention and Recommendation against Discrimination in Education.

Constitution and main education law(s)

2. The [Constitution of Nauru](#) of 1968 does not guarantee the right to education. The preamble of the Constitution states that “every person in Nauru is entitled to the fundamental rights and freedoms of the individual, that is to say, has the right, whatever his race, place of origin, political opinions, colour, creed or sex (...)”.
3. The [Education Act of 2011, as amended in 2021](#), guarantees the right to education but it is limited to children (article 7) and it does not contain a principle of non-discrimination. The same act provides that education is free and compulsory for 15 years, starting from the age of four until 18, which covers 13 years of primary and secondary education and two years of pre-primary education (articles 4, 5, 8 and 73).

Minimum age of employment

4. No legal provision has been identified that specifies the minimum age of employment, whilst the [Education Act of 2011, as amended in 2021](#), permits employment of school-age children when it is outside school hours or when a child does not attend school (article 17). 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

5. Most recent UIS available data for the enrollment rates is as follows:

	Pre-primary education (net) 2020	Primary education (gross) (2023)	Secondary education (gross) (2023)	Tertiary education
Girls	45.64%	110.43%	93.07%	<i>No recent data available</i>
Boys	36.69%	108.06%	87.47%	<i>No recent data available</i>
Total	42.56%	109.20%	90.10%	<i>No recent data available</i>

Investment in education

6. According to UIS data, in 2023, the government expenditure on education as a percentage of GDP was 5.62%. There are no recent data on the percentage of the total government expenditure.

Inclusive education

7. During the last cycle, Nauru was recommended to actively take measures to further ensure the right to education, notably inclusive education for girls and people with disabilities (99.114, 99.131, 99.136 and 99.138). In that regard, UNESCO Regional Office for the Pacific States reported that the Nauru is 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 Nauru improve their Education Data systems for better planning.

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

Constitutional and Legislative framework

8. Freedom of expression is guaranteed under Part II, Article 3 of the 1968 Constitution of Nauru and is further formalised under Part II, Article 12.¹
9. There is no freedom of information legislation in Nauru.²
10. Defamation is a criminal offence with penalties of up to three years imprisonment under the Crimes Act which was adopted in 2016. The Administration of Justice Act adopted in 2018, regulates crimes for contempt-of-court. The Act regulates publications that are critical of the government and the judiciary.³
11. The Communications and Broadcasting Act was adopted in 2018 to repeal the Telecommunications and Regulatory Affairs Act 2017 and establish the Nauru Communications Authority. This legislation aims to enhance regulatory oversight, and promote accessible, fair, and competitive telecommunications and broadcasting services for all citizens of Nauru.⁴

Implementation of legislation

12. The Nauru Communications Authority reports to the Minister for Telecommunications. The Authority consists of 3 members appointed by the Minister for Telecommunications. The Chief Regulator is appointed by the Cabinet upon recommendation of the Minister, one member is appointed upon recommendation by service providers, and another member is appointed upon recommendation of the Secretary, who is the Head of Department responsible for

¹ See the Constitution of Nauru at Nauru's Online Legal Database:

http://ronlaw.gov.nr/nauru_lpms/Links/constitution.html

² Pacific Media Assistance Scheme (PACMAS) report on [Nauru: State of media & communication report 2013](#), 5. And https://www.unodc.org/roseap/uploads/archive/documents/pacific/2020/UN-PRAC_Paper_-_Status_of_Right_to_Information_in_Pacific_Island_Countries.pdf

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https://ronlaw.gov.nr/pdfviewer/docs%252Ffacts%252F2018%252FAdministration_of_Justice_Act_2018.pdf

⁴

https://ronlaw.gov.nr/pdfviewer/docs%252Ffacts%252F2018%252FCommunication%2520and%2520Broadcasting%2520Act%25202018_serv4.pdf

Communication services.⁵

Safety of Journalists

13. Since 2006, when systematic monitoring began, UNESCO recorded no killing of journalists in Nauru, on its Observatory of Killed Journalists.⁶

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

14. The Constitution of Nauru does not contain any reference to the right to share in scientific advancement and its benefits.
15. Nauru is not a signatory to ICESCR, despite the commitment to ratify it along with the Optional Protocol in response to related Recommendations (A/HRC/WG.6/37/NRU/1 [104]).
16. In its Third Cycle National Report (2020), Nauru made no specific references to the right to share in scientific advancement and its benefits, or its inherent rights such as scientific freedom. Nauru was encouraged to intensify its efforts to seek international technological cooperation to mitigate loss and damage and to combat climate change meaningfully (A/HRC/47/17 [99.65]), a recommendation it accepted (A/HRC/47/17/Add.1 [20]). No Recommendations were made in respect of the right to share in scientific advancement and its benefits or its inherent rights such as scientific freedom. Nauru did not submit its national report on the implementation of the Recommendation on Science and Scientific Researchers for the consultation period from 2017 to 2021, nor has it yet done so for the second consultation from 2021 to 2025.

III. RECOMMENDATIONS

A. RIGHT TO EDUCATION

17. Nauru should be encouraged to:
 - i. Ratify the Convention against Discrimination in Education.
 - ii. Enshrine the right to education within the Constitution.
 - iii. Enshrine the right to education within the legislation.

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https://ronlaw.gov.nr/pdfviewer/docs%252Ffacts%252F2018%252FCommunication%2520and%2520Broadcasting%2520Act%25202018_serv4.pdf

⁶ Accessed on 15 May 2025.

- iv. Legally proscribe discrimination in education.
- v. Raise the minimum age of employment to at least 15 in accordance with international human rights law.
- vi. Continue its efforts to strengthen policies in furtherance of the right to education and inclusive education, notably by working closely with the UNESCO Regional Office for the Pacific States.
- vii. Continue to ensure regular reporting to UIS on education data, especially on pre-primary and tertiary education.
- viii. 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.
- ix. 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

- 18. The Government is encouraged to introduce an access to information law that is in accordance with international standards.
- 19. The Government is recommended to establish an independent broadcasting regulator and assess the system of supervision of the media sector in order to ensure that this process is transparent and independent.
- 20. 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)

- 21. Nauru 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, Nauru 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

22. Nauru 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, Nauru 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 Nauru 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. Nauru is invited to collaborate directly with UNESCO, through its Secretariat and specialised Sectors, for that purpose.
23. Against this background, Nauru 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 the formulation of specific recommendations.
 - v. Ratify the ICESCR and its Optional Protocol.