

Universal Periodic Review
(23rd session, October–November 2015)
Contribution of UNESCO to Compilation of UN information
(to Part I. A. and to Part III - F, J, K, and P)

Micronesia

I. BACKGROUND AND FRAMEWORK

Scope of international obligations: Human rights treaties which fall within the competence of UNESCO and international instruments adopted by UNESCO

1. Table:

<i>Title</i>	<i>Date of ratification, accession 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 against Discrimination in Education (1960)	Not state party to this Convention	<i>Reservations to this Convention shall not be permitted</i>		Right to education
Convention on Technical and Vocational Education. (1989)	Not state party to this Convention			Right to education
Convention concerning the Protection of the World Cultural and Natural Heritage (1972)	22/07/2002, Acceptance		N/A	Right to take part in cultural life
Convention for the Safeguarding of the Intangible Cultural Heritage (2003)	13/02/2013, Ratification		N/A	Right to take part in cultural life

Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)			N/A	Right to take part in cultural life
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II. Input to Part III. Implementation of international human rights obligations, taking into account applicable international humanitarian law to items F, J, K, and P

Right to education

NORMATIVE FRAMEWORK

Constitutional Framework:

2. The **Constitution of the Federated States of Micronesia of 1975**, as last revised in 2005,¹ enshrines the right to education in **Article XIII, Section 1**, which states that "The national government of the Federated States of Micronesia recognizes the right of the people to education, health and legal services and shall take every step reasonable and necessary to provide these services." **Article IX, Section 2** also provides that "The following powers are expressly delegated to Congress: [...] (r) to promote education and health by setting minimum standards, coordinating state activities relating to foreign assistance, providing training and assistance to the states and providing support for post-secondary educational programs and projects." **Article IV, Section 2** provides that "No law may be passed respecting an establishment of religion or impairing the free exercise of religion, except that assistance may be provided to parochial schools for non-religious purposes" and **Section 4** specifies that "Equal protection of the laws may not be denied or impaired on account of sex, race, ancestry, national origin, language, or social status."

Legislative Framework:

3. The legislative framework of Micronesia is composed of:

- a) **Chapter 1 of Title 40 of the Code of FSM**, dedicated to education systems. In 1997, the updated code has repealed title 40, Chapter 1, Chapter 2 and Subchapter I of Chapter 3 of

¹ Constitution of Micronesia, accessible at :

<http://fsmcourtsupremecourt.org/WebSite/fsm/constitution/index.htm>

<http://www.unesco.org/education/edurights/media/docs/876d7d4054d99b59302ac282c824f9399cfa7c19.pdf>

this Code have been repealed during the update of said code in 1997². However, this text is still often quoted and sums up all educative laws.

- b) **Paragraph 104**³ established compulsory education, attendance to school, as well as the admittance to school and age to begin school, as well as the school year's organization. **Paragraph 105**⁴ regulates teachers' status and conditions. **Paragraph 106**⁵ provides for the education of talented and gifted children, while **paragraph 107**⁶ provides for the education of children with disabilities. Paragraph 108 regulates the accreditation of secondary and elementary schools. **Paragraph 109**⁷ rules private education.

4. Some FSM Association of Chief State School Officers (FACSSO) Resolutions are also regulating education:

- a) The **Resolution FR# 10-04 on ICT**⁸ was adopted in April 2010 to appeal the FSM Telecommunication Corporation Board of Directors to provide a reduced rate for educational establishment so all students in the FSM can have access to internet services and equal opportunity to achieve the standards in ICT established by National Department of Education
- b) **“FACSSO Resolution No. 10-07: A Resolution supporting a research project on teacher salary and conditions of service.”**⁹
- c) The **Resolution #FR 10-11 on Minimum Daily Hours of Instruction**¹⁰ was adopted in **October 2010** and it provides that according to Title 40 of the FSM Code which sets legally mandated annual minimum hours of instruction for all Elementary and Secondary schools in the FSN and therefore, the State Directors of Education shall make sure this is well implemented. They shall issue written directives to all school principals informing them of the mandatory minimum hours of instruction, they shall complete and return a written report showing their starting, finishing and non-instruction time and confirming that their school is providing the minimum hours of instruction and they shall provide as well to the Secretary of Education, confirming that all schools under their direction are in compliance with the minimum hours of instruction mandated by Title 40.

² <http://www.fsmed.fm/index.php/about-us/title-40>

³ FSM Code, Title 40, Chapter 1, accessible at: <http://www.fsmed.fm/index.php/about-us/title-40> (accessed on 2014-10-30)

⁴ Ibid.

⁵ Ibid.

⁶ Ibid.

⁷ Ibid.

⁸ FACSSO Resolution 10-04, accessible at: <http://www.fsmed.fm/phocadownload/Resolution%20No.%2010-04.pdf> (accessed on 2014-10-30)

⁹ FACSSO Resolutions, accessible at: <http://www.fsmed.fm/index.php/public-info/facssso-resolutions> (accessed on 2014-10-30)

¹⁰ FACSSO Resolution 10-11, accessible at: <http://www.fsmed.fm/phocadownload/Resolution%20No.%2010-11.pdf> (accessed on 2014-10-30)

- d) The **Resolution #FR 10-09 on the official age group for enrolling in FSM Early Childhood Education Program**¹¹ was adopted in **October 2010** and it states that five years of age is deemed appropriate and capable of receiving preschool services and that the National Department of Education and the State Departments of Education shall collaborate and synchronize their efforts and resources in implementing five year of age as the official age requirement for entering into the FSM Childhood Education System.
- e) **“FACSSO Resolution No. 10-10:** A Resolution establishing Student Performance Targets and Reporting Procedures in the National Minimum Competency Test (NMCT) in Reading for 2010-2011. [...]
- f) **FACSSO Resolution No. 11-02:** A Resolution endorsing the implementation and reporting on the FSM Comprehensive Vocational Strategy Plan 2011 and compliance with provisions of the National Policy on Vocational Development and Skills Training and other purposes. [...]
- g) **FACSSO Resolution No. 11-07:** A resolution endorsing the development and implementation of an integrated service delivery framework to improve instruction and student learning outcomes in the area of literacy.”¹²

Institutional Framework:

5. “Responsibility for education in the Federated States of Micronesia (FSM) is shared between the **national government** and the **individual states of Chuuk, Kosrae, Pohnpei and Yap**. FSM has a strategic plan to provide overall guidance for improving education in the country. However, the states have the primary responsibility for instruction with the national government providing support and assistance. As a result, the individual states also have their own plans for the improvement of education and for the use of ICTs.”¹³

6. “The **Offices of the Directors of Education for each State** shall ensure that teachers fall within the provisions of the [**Teacher Certification Policy**] are qualified accordingly and submit the list of these qualified teachers to the **National Department of Education**.”¹⁴

Policy Framework:

¹¹ FACSSO Resolution 10-09, accessible at: <http://www.fsmed.fm/phocadownload/Resolution%20No.%2010-09.pdf> (accessed on 2014-10-30)

¹² FACSSO Resolutions, accessible at: <http://www.fsmed.fm/index.php/public-info/facssso-resolutions> (accessed on 2014-10-30)

¹³ Federated States of Micronesia (FSM): Developing a technology literate population to respond to the changing world economy, UNESCO Bangkok, accessible at: <http://www.unescobkk.org/education/ict/themes/policy/regional-country-overviews/fsm/> (Accessed on 10 March 2014)

¹⁴ Teacher Certification Policy, pp.2-3, 2012, Micronesia (Federated States of) , accessible at: <http://www.fsmed.fm/index.php/documents/ndoe-documents> (Accessed on 05/11/2014)

A) General information

7. “The **FSM Strategic Plan for Improvement of Education** has grown out of a need for the education system to provide for the economic growth and social development of the Nation and its States. [...] With the high cost of travel in the FSM, immense distances between islands and still emerging telecommunications systems, getting extensive involvement of all stakeholders is both a time consuming and expensive process.”¹⁵

8. “The **EFA National Plan**¹⁶ fits well in to the National Strategic Plan for Improvement of Education in the FSM. It complements the plan by providing support and focus on areas that would normally be taken for granted. It helps strengthen educational programmes and improves the overall quality of education.

The plan attempts to provide and support the overall educational needs of the country. The National education needs are immense and various but tend to be centered on social and economic issues. Various individual plans and programmes aim at providing solutions to problems. An example would be the Economic Reform programme, which is aimed at reducing public expenditure and at the same time increasing revenue by supporting private enterprise initiatives. One of the major measures adopted was downsizing of the Public Service. This included the retrenchment of public servants and the privatization and/or outsourcing of government services. The plan to expand the variety of courses and subjects on offer at the National T3 Center supports the government’s wish to strengthen the private sector.”¹⁷

9. **Chapter III of the EFA Action Plan** lists the “six priorities addressing the six EFA goals. The goals have been established by the FSM EFA Forum and are arranged in the order established by the forum. The text gives the background to the priority, the problems, the reforms required to address the problems and a projected budget. It should be noted that over the course of the projected action plan the emphasis may be revised to reflect the changing national needs.

- a) **EFA Goal VI. Priority 1:** Improving all aspects of the **quality of education** and ensuring excellence of all so that recognized and measurable learning outcomes are achieved by all, especially in literacy and innumeracy and essential life skills.
- b) **EFA Goal 1. Priority 2:** Expanding and improving comprehensive **early childhood care and education**, especially for the most vulnerable and disadvantaged children.

¹⁵ National Plan, Education For All 2015, pp. 6-7, accessible at:

<http://www.unesco.org/education/edurights/media/docs/eda2b3098358101c951434942483e04cbeafc415.pdf>

¹⁶ <http://www.unesco.org/education/edurights/media/docs/eda2b3098358101c951434942483e04cbeafc415.pdf>

¹⁷ National Plan, Education For All 2015, p. 10, accessible at:

<http://www.unesco.org/education/edurights/media/docs/eda2b3098358101c951434942483e04cbeafc415.pdf>

- c) **EFA Goal 11. Priority 3:** Ensuring that the **learning needs of all young people and adults are met through equitable access** to appropriate learning and life-skills programme.
- d) **EFA Goal 1V. Priority 4:** Achieving a 50 percent improvement in levels of **adult literacy** by 2015, **especially for women**, and equitable access to basic and continuing education for all adults.
- e) **EFA Goal 11. Priority 5:** Ensuring that by 2015 all children, particularly girls, children in difficult circumstances and those belonging to ethnic minorities, have access to and complete **free and compulsory education of good quality**.
- f) **EFA Goal V. Priority 6: Eliminating gender disparities** in primary and secondary education by 2005, and achieving gender equity in Education by 2015, with a focus on ensuring girls' full and equal access to and achievement in basic education of good quality."¹⁸

10. “[The] **Focused Strategic Plan (FSP)** describes the planned activities of the National Department of Education (NDOE) for the period 2009-2015. The activities are designed to achieve the education goals contained within the national Strategic Development Plan 2004-2013 as well as the Millennium Development Goals for education.

Five education goals have been identified. These are:

- a) Improve the quality of learning in the FSM.
- b) Improve the quality of teaching in the FSM.
- c) Consolidate performance monitoring and data based decision-making system.
- d) Strengthen participation and accountability of the education system to communities.
- e) Ensure that education is relevant to the life and aspirations of the FSM people, meets manpower needs, improves lifelong learning, enables students to complete Post-Secondary education and assists in the economic and social development of the FSM.”¹⁹

11. The **National Youth Policy** pursues a number of strategies as regards “youth and education”:

- a) “Conduct training programs in cultural/traditional preservation the first of which to begin within the first year of acceptance of the National Youth Policy.
- b) Each year each state to conduct training programs on self-esteem development.
- c) Fifteen percent increase in young people who are computer literate within 5 years by teaching computer skills and enabling the young people to enter the workplace.
- d) Encourage young people to pursue on-going learning to new and old ways in culture.
- e) Strengthen mentoring program that currently exists in Kosrae while also creating programs like it within the other 3 states by the year 2007.

¹⁸ National Plan, Education For All 2015, p. 17, accessible at:

<http://www.unesco.org/education/edurights/media/docs/eda2b3098358101c951434942483e04cbeafc415.pdf>

¹⁹ Focused Strategic Plan, p.5, Secretary of Education FSM Department of Education, 2009, accessible at:

file:///C:/Users/m_laot/Downloads/Final%20Focused%20Strategic%20Plan.pdf (Accessed on 05 November 2014)

- f) To educate young people in small business development as well as income generating activities.²⁰

B) Inclusive Education

12. In 2009, the FSM adopted a **National Policy on Disability** to increase awareness and inclusion of people with disabilities. [...] Under FSM law, children with disabilities have the right to special care, education and training up to the age of 21 years. [...] Programmes include special preschool and school classes; transition programmes between the home, school and work; training for parents and other care-givers; and related services such as speech or physical therapy and vocational guidance.

13. Developmental screening is an effective means of detecting disability in children. The purpose of screening is to identify children at risk, to refer them for further assessment and intervention as needed, and to provide family members with vital information on disability. Screening involves vision and hearing examinations as well as assessments of children's progress against developmental milestones such as sitting, standing, crawling, walking, talking or handling objects (UNICEF, 2013).

14. In the FSM, screening of infant and children takes place at Well-Baby Clinics, during **annual Child Find Surveys** at community mobile clinics and during school physical examinations. Between 2007 and 2011, approximately 17 percent of children with identified development difficulties were – after a comprehensive assessment – admitted to the **Children with Special Health Care Needs (CSHCN) Program** (an average of 56 children annually). This program is a collaborative interagency effort among the **MCH Program**, the **Special Education Program**, the **Early Childhood Education (ECE) Program**, the state hospital, and community nutrition programmes. [...] It has been recognized that there remain many gaps in the service delivery system for children with special needs because of a critical shortage of appropriately trained professionals as well as transportation problems (DHSA, 2010).

15. The **Special Education Program**, entirely funded by grants from the United States under the **Individuals with Disabilities Education Act** and supported by FSM public law, is a successful program in Micronesia directed at supporting students with disabilities.

²⁰ National Youth Policy 2004-2010, pp.29-30, Federated States of Micronesia, Department of Health, Education and Social Affairs, accessible at: <http://www.paddle.usp.ac.fj/cgi-bin/paddle?e=d-010off-paddle--00-1--0---0-10-TX--4--0-111--11-en-50---20-home---00-3-1-000--0-0-11-OutfZz-8-00&a=file&d=fsm008> (Accessed on 05 November 2014)
<http://www.unesco.org/education/edurights/media/docs/0352ccaec588da3f280d6fa888be7120548c7341.pdf>

16. In 2012, the Special Education Program catered for nearly 1,900 children (3-21 years), mostly with learning disabilities and speech impairments. A challenge remains in strengthening the transitioning of students and adults with disabilities between home, early childhood education, school, college and work.”²¹

C) Teachers

17. According to the **Teacher Certification Policy** of 2012, “A person shall be issued certification to teach in the FSM School System [...]. **FSM Teacher Certificate** shall be issued to those who met the educational background criteria and passed the **National Standardized Tests for Teachers (NSTT)**. [...]”²²

D) Quality education

18. “The poor quality of learning and educational achievement is attributed to inadequate resourcing and a lack of qualified teachers. Educational resources vary considerably between the States.”²³

19. “While cognizant of the importance of measures to ensure all children enter and stay in school, government’s primary focus has moved to issues of quality and relevance. Accordingly, the **FSM Strategic Development Plan (2004-2023)** contains five goals for the education sector that target these twin issues: (1) Improve the quality of learning; (2) Improve the quality of teaching; (3) Consolidate performance monitoring and data based decision-making; (4) Strengthen participation and accountability of the education system to communities; and (5) Ensure education is relevant to the lives and aspirations of the FSM people.”²⁴

E) Curriculum

20. “**Developing a technology literate population to respond to the changing world economy**

²¹ Children in the Federated States of Micronesia: An Atlas of Social Indicators, p.48, UNICEF Pacific, Suva, 2013, accessible at: http://www.unicef.org/pacificislands/FSM_Equity_Ready_web.pdf (Accessed on 05 November 2014)

²² Teacher Certification Policy, pp.2-3, 2012, Micronesia (Federated States of) , accessible at: <http://www.fsmed.fm/index.php/documents/ndoe-documents> (Accessed on 05/11/2014)

²³ Children in the Federated States of Micronesia: An Atlas of Social Indicators, p.24, UNICEF Pacific, Suva, 2013, accessible at: http://www.unicef.org/pacificislands/FSM_Equity_Ready_web.pdf (Accessed on 05 November 2014)

²⁴ Children in the Federated States of Micronesia: An Atlas of Social Indicators, p.24, UNICEF Pacific, Suva, 2013, accessible at: http://www.unicef.org/pacificislands/FSM_Equity_Ready_web.pdf (Accessed on 05 November 2014)

The **strategic plan** specifically addresses the need to develop a technology literate population. The main goal in this area is “to develop a technology literate population to rapidly respond to changing conditions in the world economy” through the following five objectives:

- a) Provide quality mathematics and science programmes to form the basis for understanding and using current and future technologies
- b) Develop student computer literacy for understanding and use of information technologies
- c) Develop operational plans for effective use of the Internet and other information technologies for improvement of instructional support staff training and programmes
- d) Provide for repair and maintenance and upgrading of technological resources
- e) Allocate financial and technical resources for assistive technologies

Currently, approximately 85 per cent of the teaching staff have less than a bachelor’s degree and a substantial percentage have only a high school diploma. In response to the immense training needs, the government has supported distance learning programmes such as **PRELSTAR: A Pacific Islands Distance Learning Programme** and the **Pacific Regional Technology in Education Consortium (PRTEC)**, providing pre-service training for teachers and university faculty.

Data-driven decision-making in education is also promoted. One of the goals in the strategic plan is to develop “appropriate assessment and evaluation systems for all levels of education and will use those systems as the basis for decision-making, resource allocation, and planning and development.” A database of information on education in the individual states has been created as part of this effort.”²⁵

F) Financing of education

17. “A pressing issue for the FSM is ensuring an adequate fiscal transition when the **Compact of Free Association with the United States** ends in 2023. Health and education – two key sectors for child development – are almost entirely funded through the Compact.”²⁶

18. “With the use of **Compact funding**, construction of more public school buildings are underway, to improve the delivery of education services to the people and to complement limited classrooms and basic infrastructures. To the extent permitted by limited resources, updated education materials, textbooks and laboratories are provided to students as well. Considering that education is only one of the priority sectors in FSM, the Government realizes that the needs on

²⁵ Federated States of Micronesia (FSM): Developing a technology literate population to respond to the changing world economy, UNESCO Bangkok, accessible at: <http://www.unescobkk.org/education/ict/themes/policy/regional-country-overviews/fsm/> (Accessed on 10 March 2014)

²⁶ Children in the Federated States of Micronesia: An Atlas of Social Indicators, p.7, UNICEF Pacific, Suva, 2013, accessible at: http://www.unicef.org/pacificislands/FSM_Equity_Ready_web.pdf (Accessed on 05 November 2014)

education services cannot be fully addressed by current level of revenue, notwithstanding financial provisions in the Amended Compact.”²⁷

G) Gender equality

19. “Technical assistance should be provided to assist FSM to develop a strong national gender policy that supports the implementation of the gender matrix section of the Strategic Development Plan. To support the implementation of the gender policy, a gender mainstreaming action plan should be developed, one that includes a set of targets and indicators and a budget.”²⁸

16. “The country has [...] achieved gender parity in primary education but boys tend to be disadvantaged at the secondary level.”²⁹

H) Other (as appropriate)

Language of instruction

20. “The **FSM Language policy**³⁰ is designed to provide a framework at the National level and support the States with linguistics issues and in developing curriculum and instructional materials”.³¹ One of the Key components is the development of “curriculum and materials (not only by education but the broader community and governmental structure)”.³²

There is a “need for public education on trends and patterns in language usage, how language(s) is best acquired in both first and second languages and what are languages role in economic growth and social development.”³³

21. “The education system feels that its primary role lies in developing basic skills, thinking skills and personal qualities of our future workforce. These skills and personal qualities need to

²⁷ National report of Micronesia (Federated States of) submitted for the 9th session of Universal Periodic review (2010), p.7,

http://lib.ohchr.org/HRBodies/UPR/Documents/session9/FM/A_HRC_WG.6_9_FSM_1_Micronesia_eng.pdf, (Accessed on 07 November 2014)

²⁸ Secretariat of the Pacific Community, Stocktake of the Gender Mainstreaming Capacity of Pacific Island Governments, Federated States of Micronesia, p.21, 2012, Noumea, accessible at: http://www.spc.int/hdp/index2.php?option=com_docman&task=doc_view&gid=328&Itemid=4 (Accessed on 07/11/2014)

²⁹ Children in the Federated States of Micronesia: An Atlas of Social Indicators, p.24, UNICEF Pacific, Suva, 2013, accessible at: http://www.unicef.org/pacificislands/FSM_Equity_Ready_web.pdf (Accessed on 05 November 2014)

³⁰ <http://www.unesco.org/education/edurights/media/docs/6a0468dd1dba62b4ee4a651e6d8e3f6a00850a4c.pdf>
<http://www.fsmed.fm/pdf/FSM%20language%20Policy.pdf>

³¹ FSM Language policy, p. 1, accessible at:

<http://www.unesco.org/education/edurights/media/docs/6a0468dd1dba62b4ee4a651e6d8e3f6a00850a4c.pdf>

³² FSM Language policy, p. 1, accessible at:

<http://www.unesco.org/education/edurights/media/docs/6a0468dd1dba62b4ee4a651e6d8e3f6a00850a4c.pdf>

³³ FSM Language policy, p. 3, accessible at:

<http://www.unesco.org/education/edurights/media/docs/6a0468dd1dba62b4ee4a651e6d8e3f6a00850a4c.pdf>

reflect local values, traditions and culture and promote a sustainable economy and social structure. This development must be based upon the foundation of FSM language, values, attitudes and cultures that make FSM unique as a people.”³⁴

Formal and non-formal education

22. “While recognizing that education in general should enable young people to enter the employment market, [the **National Youth Policy**] proposes that education should be a process that prepares a young person for life's challenges. This Policy advances this view on the basis that education does not only take place in schools, but that it also exists in terms of non-formal and informal education.”³⁵

23. “The **FSM Technology Plan K – 12** is designed to provide a framework for use of technology to help transform the FSM education system. The term Information and Communications Technology (ICT) is used in this plan to indicate that technology goes far beyond just computers. The core of the plan is adoption and implementation of the International Society for Technology in Education NETS Standards’ for Students, Teachers and Administrators/Principals. This approach is somewhat unique in that not only student standards are used, but also standards for teachers and administrators/principals.

24. [...] The basic principle in the FSM Technology Plan K – 12 is to move students toward achievement of 21st century skills. This means moving toward a ratio of one computer per child (OLPC model) that allows interaction across classrooms, schools, the state, the FSM and the world and developing the cognitive skills that are needed for economic and social growth of the FSM.”³⁶

Early childhood care and education

25. “In FSM, in 2005, the HEAD-Start Program was replaced by the **Early Childhood Education Program**. The Long Term Fiscal Framework (LTF) seems to indicate that the ECE program serves more as a baby-sitting program than a formal pre-school education. Kindergarden

³⁴ FSM Language policy, p. 4, accessible at:

<http://www.unesco.org/education/edurights/media/docs/6a0468dd1dba62b4ee4a651e6d8e3f6a00850a4c.pdf>

³⁵ National Youth Policy 2004-2010, p.28, Federated States of Micronesia, Department of Health, Education and Social Affairs, accessible at: <http://www.paddle.usp.ac.fj/cgi-bin/paddle?e=d-010off-paddle--00-1--0--0-10-TX--4--0-111--11-en-50--20-home---00-3-1-000--0-0-11-OutfZz-8-00&a=file&d=fsm008> (Accessed on 05 November 2014)

<http://www.unesco.org/education/edurights/media/docs/0352ccaec588da3f280d6fa888be7120548c7341.pdf>

³⁶ Technology Plan for Grades K – 12, Transforming Education through Technology, p.vi, Federated States of Micronesia, 2010, accessible at: file:///C:/Users/m_laot/Downloads/FSM%20Tech%20Plan%20K%20-%202012.pdf (Accessed on 05 November 2014)

curricula is being developed to develop social skills with math and language activities. Overall, enrolment has declined, with only a quarter of children enrolled in ECE centers, suggesting poor access and/or out-migration of that age group. According to the 2011 UN Common Country to Assessment, “More vulnerable and disadvantaged children do not have access to ECE”, but data are lacking to adequately understand disparities by socio-economic background or gender.”³⁷

Private education

26. "Complementing the public education system, religious groups run privately funded elementary and secondary schools.”³⁸

Cooperation:

27. Micronesia (The Federated States of) is **not party** to the 1960 UNESCO Convention against Discrimination in Education.

28. Micronesia **did not report** to UNESCO on the measures taken for the implementation of the 1960 UNESCO Convention against Discrimination in Education within the framework of the:

- a) **Sixth Consultation** of Member States (covering the period 1994-1999)
- b) **Seventh Consultation** of Member States (covering the period 2000-2005)
- c) **Eighth Consultation** of Member States (covering the period 2006-2011)

29. Micronesia **did not report** to UNESCO on the measures taken for the implementation of the 1974 UNESCO Recommendation concerning Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms within the framework of the:

- a) **Fourth Consultation** of Member States (covering the period 2005-2008)
- b) **Fifth Consultation** of Member States (covering the period 2009-2012)

30. Micronesia **did not report** to UNESCO on the measures taken for the implementation of the 1976 UNESCO Recommendation on the Development of Adult Education within the framework of the:

- a) **First Consultation of Member States (1993).**
- b) **Second Consultation of Member States (2011).**

³⁷ Children in the Federated States of Micronesia: An Atlas of Social Indicators, p.26, UNICEF Pacific, Suva, 2013, accessible at: http://www.unicef.org/pacificislands/FSM_Equity_Ready_web.pdf (Accessed on 05 November 2014)

³⁸ Children in the Federated States of Micronesia: An Atlas of Social Indicators, p.24, UNICEF Pacific, Suva, 2013, accessible at: http://www.unicef.org/pacificislands/FSM_Equity_Ready_web.pdf (Accessed on 05 November 2014)

31. Micronesia is **not party** to the 1989 UNESCO Convention on Technical and Vocational Education.

Freedom of opinion and expression

Constitutional and legislative framework:

32. Freedom of expression is enshrined under Section 1 of Article 4 of the 1978 Constitution of the Federated States of Micronesia.³⁹

33. There is no freedom of information in the country.

Media self-regulation:

34. Self-regulatory mechanisms of the media exist in Micronesia through an entity such as the Micronesian Media Association which is the national as well as regional self-regulation media body.⁴⁰

Safety of journalists:

35. UNESCO recorded no killing of journalists in Micronesia between 2008 and 2013. Journalists and media professionals work in a safe environment.

III. RECOMMENDATIONS

Recommendations made within the framework of the first cycle of the Working Group on the Universal Periodic Review, considered on (please check the date on the following web site: <http://www.ohchr.org/EN/HRBodies/UPR/Pages/Documentation.aspx>)

Right to education

³⁹ See the Constitution of the Federated States of Micronesia at:

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

⁴⁰ The establishment of the Micronesian Media Association was reported in several news bulletins (see:

<http://www.radionz.co.nz/international/pacific-news/172921/micronesian-media-association-formed>,

http://www.grady.uga.edu/coxcenter/Activities/Act_2007_to_2008/Act0708_2.php, and

<http://www.saipantribune.com/index.php/ad0345d1-1dfb-11e4-aedf-250bc8c9958e/>). Similarly, the North Pacific Federation of Media Professionals was launched, forming a regional organization encompassing neighbouring countries of Micronesia. See their official website at: <http://pacificfederation.org/>

36. In the Report of the Working Group on the Universal Periodic Review of 4th January 2011, various recommendations were made to Micronesia:

- i. *61.19. Withdraw its reservations to the Convention on the Elimination of All Forms of Discrimination against Women and adopt constitutional and legal reforms in conformity with the principles of the Convention, with a view to **eliminating all forms of discrimination against women and girl children**, which remain in education, employment, the family and political life (Ecuador);*
- ii. *61.45. Ensure that its national programmes in the field of education **include human rights education and training** (Morocco);*
- iii. *61.53. Include **women's rights in education curricula** (Slovenia);*
- iv. *61.57. Establish effective measures to prevent mistreatment in detention centres and prisons, for example, through **human rights training programmes for members of the police** (Spain);*
- v. *61.67. Continue to apply programmes and measures to **ensure the enjoyment of the right to education and the right to health** (Cuba);*
- vi. *61.70. Continue its efforts regarding access to health, environmental protection and the right to education, **calling for technical and financial assistance to accompany the Government's efforts in these fields** (Morocco).*

Analysis:

37. Micronesia adopted various plans and programmes to eliminate discrimination, including gender-based discrimination in education. In addition, it adopted a National Policy on Disability. However, no sufficient measures have been taken to address persisting discriminations, neither to further include human rights education in curricula.

38. Specific Recommendations:

- 38.1 Micronesia should be strongly encouraged to ratify the UNESCO Convention against discrimination in education.**
- 38.2 Micronesia should be encouraged to further submit state reports for the periodic consultations of UNESCO's education related standard-setting instruments.**

38.3 Micronesia could be encouraged to further include human rights education, and especially women’s rights education in its curricula.

Freedom of opinion and expression

39. Micronesia is encouraged to introduce an access to information law that is in accordance with international standards.⁴¹

Cultural rights

40. The Federated States of Micronesia is encouraged to ratify the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005). UNESCO’s cultural 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 is encouraged to facilitate the participation of communities, practitioners, cultural actors and NGOs from the civil society as well as vulnerable groups (minorities, indigenous peoples, migrants, refugees, young peoples and peoples with disabilities), and to ensure that equal opportunities are given to women and girls to address gender disparities.

41. As a State Party to the Convention concerning the Protection of the World Cultural and Natural Heritage (1972) and the Convention for the Safeguarding of the Intangible Cultural Heritage (2003), the Federated States of Micronesia is encouraged to fully implement the relevant provisions that 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 give due consideration to the participation of communities, practitioners, cultural actors and NGOs from the civil society as well as vulnerable groups (minorities,

⁴¹ See for example, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights (ICCPR), the recommendations of the 2000 Report of the UN Special Rapporteur on Freedom of Opinion and Expression, the 1981; 2002 Recommendation of the Committee of Ministers of the Council of Europe, the 2002 African Commission on Human and Peoples’ Rights Declaration of Principles of Freedom of Expression in Africa and the 2000 Inter-American Commission on Human Rights’ Declaration of Principles of Freedom of Expression.

indigenous peoples, migrants, refugees, young peoples and peoples with disabilities), and to ensure that equal opportunities are given to women and girls to address gender disparities.

**Freedom of scientific research and
the right to benefit from scientific progress and its applications**

42. **The Federated States of Micronesia**, in the framework of the 2015-2017 consultations related to the revision and monitoring of the Recommendation on the Status of Scientific Researchers is encouraged to report to UNESCO on any legislative or other steps undertaken by it with the aim to implement this international standard-setting instrument, adopted by UNESCO in 1974. The 1974 Recommendation on the Status of Scientific Researchers sets forth the principles and norms of conducting scientific research and experimental development and applying its results and technological innovations in the best interests of pursuing scientific truth and contributing to the enhancement of their fellow citizens' well-being and the benefit of mankind and peace. The Recommendation also provides the guidelines for formulating and executing adequate science and technology policies, based on these principles and designed to avoid the possible dangers and fully realize and exploit the positive prospects inherent in such scientific discoveries, technological developments and applications. **The Federated States of Micronesia** did not submit its 2011-2012 report on the implementation of the 1974 Recommendation. In providing its report in 2015-2017 on this matter, **the Federated States of Micronesia** is kindly invited to pay a particular attention to the legal provisions and regulatory frameworks which ensure that scientific researchers have the responsibility and the right to work in the spirit of the principles enshrined in the 1974 Recommendation, such as: i) intellectual freedom to pursue, expound and defend the scientific truth as they see it, and autonomy and freedom of research, and academic freedom to openly communicate on research results, hypotheses and opinions in the best interests of accuracy and objectivity of scientific results; ii) participation of scientific researchers in definition of the aims and objectives of the programmes in which they are engaged and to the determination of the methods to be adopted which should be compatible with respect for universal human rights and fundamental freedoms, as well as ecological and social responsibility; iii) freedom of expression relating to the human, social or ecological value of certain projects and in the last resort withdraw from those projects if their conscience so dictates ; iv) freedom of movement, in particular for participation in international scientific and technological gatherings for furtherance of international peace, cooperation and understanding; v) guarantees of non-discrimination in application of rights to satisfactory and safe working conditions and avoidance of hardship; to access to educational facilities, occupational mobility, career development, participation in public life, and vi) right of association, etc.