



# General Assembly

Distr.: General  
11 July 2011

Original: English

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**Human Rights Council**  
**Eighteenth session**  
Agenda item 6  
**Universal Periodic Review**

## **Report of the Working Group on the Universal Periodic Review\***

### **Palau**

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\* The annex to the present report is circulated as received.

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## Introduction

1. The Working Group on the Universal Periodic Review (UPR), established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its eleventh session from 2 to 13 May 2011. The review of Palau was held at the 3rd meeting on 3 May 2011. The delegation of Palau was headed by John C. Gibbons, Minister of Justice of Palau. At its 7th meeting, held on 5 May 2011, the Working Group adopted the report on Palau.
2. On 21 June 2010, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Palau: Ecuador, Republic of Moldova and Senegal.
3. In accordance with paragraph 15 of the annex to resolution 5/1, the following documents were issued for the review of Palau:
  - (a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/11/PLW/1);
  - (b) A compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/11/PLW/2);
  - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/11/PLW/3).
4. A list of questions prepared in advance by Latvia, the United Kingdom of Great Britain and Northern Ireland, the Czech Republic, Slovenia and France was transmitted to Palau through the troika. These questions are available on the extranet of the UPR.

## I. Summary of the proceedings of the review process

### A. Presentation by the State under review

5. Palau expressed the view that it was truly committed to fulfilling its human rights obligations. Efforts in this regard had resulted in pending new legislation, policies and the creation of Task Force Committees to oversee and address its human rights commitments and obligations.
6. Palau indicated that it had acceded only to the Convention of the Rights of the Child, and that it intended to carefully examine the possibility of signing and acceding to other human rights covenants and protocols, including the Convention on the Elimination of All Forms of Discrimination against Women.
7. Palau mentioned the following challenges it faced: climate change and environmental degradation; lack of technical capacity to undertake and implement human rights issues domestically, including reporting to treaty bodies; lack of financial and funding capacity to fulfil human rights norms and obligations; lack of technical and financial assistance to undertake human right awareness and activities; disparity in social and economic well-being; alcohol and substance abuse; high mortality rate affected by non-communicable diseases; limited access and opportunities of vulnerable groups and persons with disabilities; employment protection for local Palauan workers; domestic violence and human trafficking.
8. Palau highlighted that it strived to build its nation and make progress in sustainability while working to fulfill its regional and international obligations, including the protection of human rights.

9. Some examples of Palau's commitment to human rights include: the preparation of the national report in close consultation with civil society, consultations with the Pacific Island Forum Secretariat and the Asia Pacific Forum on the possibility of establishing a national human rights institution in compliance with Paris Principles, and public education and awareness-raising campaigns on human rights.

10. The President of the Republic had issued an executive order establishing a task force to investigate alleged human trafficking activities. Palau indicated that it had legislation addressing human trafficking but that challenges remained. In April 2011, the President of the Republic, while presenting his annual report to the Congress and the nation, reiterated Palau's commitment to combating human trafficking.

11. Palau had managed to deal with cases of asylum-seekers. It mentioned the cases of 12 asylum-seekers who were accommodated in Palau and subsequently resettled in third countries.

12. Palau indicated that climate change was a priority human rights issue. The year 2010 was declared the year of "Green Revolution" by President Johnson Toribiong. Palau is part of Green Energy Micronesia, a regional initiative to convert 20 per cent of fossil fuel dependency to renewable energy. President Toribiong had also declared Palau as the first "shark sanctuary" of the world. This declaration was further strengthened to include all marine mammals.

13. Palau pledged to extend an open standing invitation to special procedures mandate holders.

14. Palau appealed to the international community to assist the country in striving to improve human rights.

15. Palau introduced its national report. It referred to the paragraphs of the latter which relate to Palau's geographical situation, languages spoken, religions practised by the population, the system of government, the composition of the population, the percentage of population living under poverty line, the status of consultations for the establishment of a National Human Rights Institution and the rights enshrined in its Constitution.

16. Palau then referred to the paragraphs of its national report related to the following issues: human trafficking and people smuggling, statelessness, domestic violence, disabilities, children, education, youth, poverty, HIV/AIDS, women, foreign and local workers, food security, and culture.

17. Regarding each of the above-mentioned issues, Palau referred to the relevant paragraphs of its national report identifying laws adopted, policies being implemented, and existing challenges.

18. Palau mentioned the following legislation, initiatives and policies adopted and undertaken to address these human rights issues:

- On domestic violence: the Palau Family Protection Bill pending adoption; joint efforts undertaken by the Ministry of Health, the Ministry of Education, the Ministry of Justice and community stakeholders to address domestic violence; and the establishment of the Victims of Crimes Assistance Office;
- On disability: the draft national policy on disabled people; national laws which protect the needs of people with disabilities, initiatives taken to provide educational and vocational training, as well as health initiatives;
- On children: several laws adopted to protect the rights of the child, and three governmental offices established to intervene in cases of child abuse and neglect;

- On education: the constitution provides for compulsory and free education; other policies include: the Education Master Plan, and the Health Master Plan;
  - On youth: the Palau National Youth Policy has been adopted and is being implemented;
  - On HIV/AIDS: confidential testing and referral are conducted at the Belau National Hospital; a clinic set up in Palau Community College provides free counseling, testing and referral; condoms have been massively distributed; and a youth peer mentor program was established in 2007;
  - On women's issues: Palauan women have progressed in the areas of education and employment. Women make decisions on the selection of traditional chiefs and allocation of resources;
  - On culture: Palau's Constitution recognizes and protects the role of Palau's cultures and traditions;
  - On human trafficking: Palau has a specific an updated legislation on human trafficking;
  - On environmental protection and climate change: Palau established the Protected Area Network to conserve its biodiversity; through executive orders Palau has put in place mechanisms to deal with climate change issues;
  - On Millennium Development Goals (MDGs): Palau expects to achieve them by 2015.
19. Palau referred to the following challenges:
- Lack of recognized recruiting agencies for foreign workers, which may expose them to become victims of human trafficking;
  - Children born of foreign parents adopted by Palauans cannot hold Palauan citizenship;
  - No law has been enacted which specifically addresses domestic violence;
  - The Victims of Crimes Assistance Office is understaffed;
  - There is no legislation that specifically addresses exploitation of children via sexually explicit videos, movies, photos, and electronic images;
  - Youth problems mainly focus on unemployment, and substance and alcohol abuse;
  - 25 per cent of the population is below the national basic needs poverty line;
  - Domestic violence affecting specially women, lack of specific legislation relating to women's working conditions, sexual discrimination in the workplace and land and property ownership;
  - Food insecurity;
  - International assistance is required to combating multi-jurisdictional human trafficking cases.
20. Palau referred to its national priorities and commitments as reflected in its national report.
21. Palau also referred to its request for international technical assistance mentioned in paragraph 107 of its national report.

**B. Interactive dialogue and responses by the State under review**

22. During the interactive dialogue 29 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

23. A number of delegations commended Palau for the presentation of its national report, the high quality and self-critical nature of the latter, the participation of civil society in its preparation, and Palau's participation and commitment in the UPR process despite the challenges it faced as a small island State. Some countries welcomed Palau's genuine efforts as one of the world's newest democracies to meet international human rights standards.

24. Algeria noted that Palau's free and fair elections, respect for the rule of law and functioning judiciary were encouraging, given that it gained independence just 16 years ago. Algeria noted that the Convention on the Rights of the Child was the only core international human rights instrument to which Palau was a party. It referred to the important areas of concern identified in Palau's report. Algeria made recommendations.

25. Canada commended Palau's commitment to democracy and respect for the rule of law. While noting that the Constitution guaranteed women's equality, it referred to the issues to be addressed to ensure equal treatment of women, which were identified in Palau's report. Canada acknowledged that there were concerns about domestic violence and discrimination and abuse of foreign workers. With a view to building on positive developments and taking into account issues identified, Canada made recommendations.

26. The Republic of Moldova noted Palau's ratification of the Convention on the Rights of the Child and the active role played in regional and international bodies which deal with children and social development. Moldova also noted the National Action Plan for Children and recalled some of the recommendations made by the Committee of the Rights of the Child on the implementation of such a Plan. Moldova also noted the consultations held on the creation of a National Human Rights Institution. The Republic of Moldova made recommendations.

27. Hungary noted with satisfaction that Palau had established a *de jure* moratorium on the death penalty as a step towards its abolition. Hungary commended Palau for its ratification of the Convention on the Rights of the Child, the establishment of three National Government agencies responsible for child abuse cases and for the National Plan of Action for Children. Hungary expressed concern about the legal discrimination against married women regarding rape and property, the problem of statelessness affecting children and the reported widespread mistreatment of foreign workers. Hungary encouraged Palau to cooperate more closely with special procedures and to consider becoming a party to the International Covenant on Economic Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Convention on the Rights of Persons with Disabilities. Hungary made recommendations.

28. France referred to legislative measures to enhance Palau's international commitment to human rights. It asked for further information on progress made to establish a National Human Rights Institution in accordance with the Paris Principles. France noted that discrimination against women remained frequent in all areas. France welcomed Palau's support of the declaration made in the Human Rights Council for putting an end to violence and human rights violations based on sexual orientation and gender identity. However, it noted that article 2803 of the

Criminal Code continued to criminalize sexual relations between consenting adults of the same sex and provided for sentences of up to 10 years in prison. France made recommendations.

29. Thailand was encouraged by Palau's progress in meeting several MDGs related to education, social equality, reduction of infant mortality and the fight against HIV/AIDS. Thailand shared the concerns expressed about child abuse, including the absence of adequate labour laws protecting children from economic exploitation. Thailand hoped to see the strengthening of cooperation between Palau and regional and international agencies, particularly to reinforce Palau's human rights institutions and its implementation and ratification of key human rights conventions. Thailand urged the Human Rights Council, OHCHR and other relevant agencies to provide greater assistance to Palau in facing the increasing threats from climate change and environmental degradation. Thailand expressed its willingness to cooperate with Palau in areas of mutual interest and made recommendations.

30. Cuba noted the challenges faced by Palau with regard to poverty, climate change and food security, which threatened the security and survival of its population. Cuba also mentioned Palau's commitment with respect to ensuring free and compulsory education, improving food security and moving towards the fulfilment of the MDGs. Cuba highlighted Palau's National Development Plan and the reduction of illiteracy and child mortality. Cuba underscored the inclusion in the Constitution of a warning regarding the danger of nuclear weapons. Cuba made recommendations.

31. Poland expressed its awareness of the challenges faced by Palau given the adverse effects of limited resources and threats posed by climate change. Poland encouraged Palau to continue its efforts aimed at strengthening the promotion and protection of human rights. Poland expressed concern about reports of the increasing number of children living and working in the street and the lack of awareness about domestic violence, ill-treatment and sexual abuse of children. Poland made recommendations.

32. Slovenia encouraged Palau to implement the Convention on the Elimination of All Forms of Discrimination against Women and other international instruments. Slovenia asked about Palau's intention to undertake concrete steps to translate into an indigenous language the international human rights instruments. It also asked whether Palau was developing a strategy on human rights education.

33. Mexico recognized Palau's efforts to reduce child mortality and to prevent and eradicate trafficking in persons. Mexico asked Palau to provide more details on the technical assistance requested to ensure the effective implementation of the Convention on the Rights of the Child and to ratify other human rights instruments. Mexico also asked about the obstacles faced by the Palauan Legislative Power to ratify CEDAW. Mexico made recommendations.

34. The United States of America commended Palau for its strong democracy, observance of human rights and support for women's rights. It expressed concern at the absence of explicit laws against domestic violence or legal protection for abused children and women. It also noted that Palau's laws do not provide for the granting of asylum or refugee status and that there was no established system for providing protection to refugees. The United States encouraged Palau to make proactive efforts to identify trafficking victims and prosecute offenders. The United States made recommendations.

35. Australia congratulated Palau on drafting a national policy and guidelines for protecting the rights of people with disabilities and for endorsing the Pacific Regional Strategy on Disability. It encouraged the anchoring of such protections in

legislation. Australia welcomed recent training and the translation of CEDAW into the national language so that all Palauans can participate in the discussions on the ratification to the Convention. It remained concerned at continuing reports of violence against women and urged Palau to put in place legislation to protect women's rights and address domestic violence. Australia also noted the challenges faced by Palau in attaining development goals and was pleased to be working with Palau on inclusive approaches to these challenges. Australia made recommendations.

36. Argentina commended Palau's efforts to combat trafficking in persons. Argentina made recommendations.

37. Norway commended Palau for its commitment to international human rights and its related achievements. Norway noted the challenges facing Palau on the issue of trafficking. Norway also commended Palau for its support of the recent joint statement delivered in the Human Rights Council on ending acts of violence, criminal sanctions and related human rights violations based on sexual orientation and gender identity. However, it noted that Palau's Penal Code continued to criminalize sexual relations between consenting adults of the same sex and that Palau's legislation discriminated against women in the field of inheritance and did not criminalize rape within marriage. Norway made recommendations.

38. Palau responded to the questions raised during the interactive dialogue. On the progress in the establishment of a national human rights institution, Palau indicated that it intended to hold wide national consultations at domestic level; on the translation of international human rights instruments into local languages, Palau explained that CEDAW had been translated into Palauan. Regarding the ratification of CEDAW, there were ongoing consultation processes. As for the ratification of other international instruments, Palau requested international assistance for meeting its international commitments.

39. Spain encouraged Palau to continue its efforts to create a national human rights institution and welcomed the holding of consultations in that regard. Spain acknowledged Palau's measures on combating sexual, gender and domestic violence as well as the ratification of the Convention on the Rights of the Child. Spain made recommendations.

40. The United Kingdom of Great Britain and Northern Ireland asked about the Government's plans to involve civil society in the follow-up process to the Universal Periodic Review. It welcomed Palau's acknowledgement of the problem of human trafficking and of efforts to tackle it. The United Kingdom hoped that Palau would review policies on foreign nationals to provide them with increased protection. It referred to the pending Family Protection Bill and expressed interest in receiving further information on the timetable for its implementation and regular updates on progress made. The United Kingdom acknowledged that Palau was one of world's smallest countries and that the scarcity of resources, including skilled human resources, presented clear challenges in terms of building institutional and legal capacity for human rights. The United Kingdom made recommendations.

41. Brazil commended Palau for holding free and democratic elections, having an independent and functioning judicial system, and for voting in favour of the adoption of General Assembly resolution 62/149 on a moratorium on the death penalty. Brazil noted the National Plan of Action for Children and welcomed the announcement of the adoption of a domestic Violence Bill. Brazil was concerned about the corporal punishment reports; the situation of children living and working in the streets; the low legal age for criminal responsibility and the situation of migrant workers. Brazil made recommendations.

42. Morocco acknowledged Palau's progress on the implementation of the MDGs, the accession to the Convention on the Rights of the Child and the efforts made to guarantee a



free and mandatory education. Morocco requested more information about measures taken to promote human rights training and education. Morocco made recommendations.

43. Chile noted Palau's challenges and efforts with regard to the climate change. Chile urged the international community to attend Palau's request for technical assistance, especially for the ratification of international instruments, the establishment of a national human rights institution, the fight against human trafficking, and the strengthening of its capacities to deal with climate change. Chile welcomed Palau's pledge to issue a standing invitation to special procedures. Chile encouraged Palau to implement the National Plan of Action for Children. Chile made recommendations.

44. Slovakia commended Palau for guaranteeing free and compulsory education. Slovakia was concerned about the low legal age for criminal responsibility, the increasing incidence of sexual abuse of children and the human trafficking for the purpose of sex trade. Slovakia made recommendations.

45. Maldives noted the enormous challenges faced by Palau in promoting and protecting human rights because of its size, geography and capacity constraints. Maldives noted Palau's pledge to ratify the remaining core human rights conventions, including CEDAW, which was pending approval in Parliament. It also noted Palau's consideration of the establishment of a national human rights institution and that such a process can be lengthy and complicated. Maldives referred to Palau's efforts to forge a positive partnership with the international community to realize its human rights obligations. Maldives made recommendations.

46. South Africa expressed appreciation that the national report not only set out the achievements of Palau but also the challenges it faced. South Africa appealed to the international community to heed Palau's call for technical assistance and capacity building. While Palau's report recognized domestic violence as a challenge, South Africa noted that there was no specific statute for addressing domestic violence and requested further information on the steps being taken to address this serious challenge. South Africa made recommendations.

47. Malaysia observed Palau's keen awareness of the challenges it faced in protecting and promoting human rights in the country as well as its determination to address them. Given the prevailing circumstances and apart from the challenges faced in the field of civil and political rights, Malaysia understood that Palau faced equally, if not more, daunting challenges in the field of economic social and cultural rights, which included climate change, food security, environment degradation, disparity of social and economic well-being, alcohol and substance abuse and high mortality rates. Malaysia made recommendations.

48. Trinidad and Tobago recognized Palau's progress on the achievement of the MDGs. Trinidad and Tobago noted that progress remained to be made on domestic violence and employment of women. Trinidad and Tobago shared Palau's concerns about climate change and its implications for food, water security and adequate housing and urged the international community to respond to Palau's call for assistance in addressing those issues. Trinidad and Tobago made recommendations.

49. China appreciated the progress made by Palau in the protection and promotion of human rights including in addressing human trafficking and improving the status of women. However, China expressed regret that Palau had not acceded to any core international human rights instruments except for the Convention on the Rights of the Child. China also noted with concern the considerable disparity in social and economic well-being, the limited opportunities for vulnerable groups and persons with disabilities, insufficient labour protection for local workers and discrimination against foreign workers. China made recommendations.

50. Costa Rica noted Palau's call for technical assistance. Costa Rica congratulated Palau on its efforts to create a national human rights institution. Costa Rica acknowledged the challenges faced by Palau, specifically the effects of climate change in the situation of human rights, the trafficking in persons and the rights of the child. Costa Rica asked about the measures taken by Palau to face climate change and how this situation could impact on persons becoming refugees and internal displaced persons as a result of this phenomenon. Costa Rica made recommendations.

51. Turkey welcomed the transparent election process in Palau, which was conducted in accordance with democratic principles. Turkey applauded Palau's independent and functioning judiciary and its guaranteeing of free and compulsory education to all its citizens. While expressing appreciation for Palau's accession to the CRC, Turkey believed that progress in protecting women's rights would be achieved after acceding to CEDAW. It expected Palau to implement its national plan of action for children. Turkey made a recommendation.

52. New Zealand noted that legal reform for addressing domestic violence had been discussed for nearly two decades. While commending Palau for the progress made in improving children's health nutrition access to education and for its commitment to reducing maternal mortality rate, New Zealand noted that improvements to legal protection were needed in other areas. New Zealand observed that foreign workers were not covered under the minimum wage law and referred to reports of mistreatment of foreign workers. It was encouraged by the recent adoption of a comprehensive policy on discrimination against persons with disabilities. It made recommendations.

53. The Philippines noted Palau's attention to combating human trafficking and acknowledged the progressive measures to promote human rights of women, children and persons with disabilities. It supported the need to increase the international assistance to Palau to address the damaging effects of climate change on human rights. The Philippines asked how Palau would like to see the Human Rights Council taking action on climate change and its impacts on human rights. Philippines made recommendations.

54. Palau thanked all delegations for the recommendations addressed to it. Palau indicated that it intended to engage in wide consultations with civil society on mapping out strategies for the dissemination and implementation of UPR recommendations. Palau intended to seek technical assistance from civil society and non-governmental organizations in implementing specific recommendations.

55. Regarding laws which discriminate against women, Palau clarified that these provisions are not in the Constitution but in legislative statutes and that there were initiatives towards amending these laws, such as the Palau Protection Act of 2010 which criminalize rape irrespective of the marital status of the victim. Additionally, there is another draft bill which, if approved, would allow women to have inheritance rights on an equal basis.

56. Two proposed bills, the Domestic Violence Family Act and the Victims Assistance Act, addressed issues such as domestic violence and sexual abuse; they provide for shelters for victims of violence and child abuse. Palau explained that there were in place other governmental mechanisms to assist victims of violence and sexual abuse, like the Victims of Crimes Assistance Office, within the Ministry of Health, which provides assistance and protection to children victims of physical or sexual abuse. The medical profession is also required to report any alleged child abuse. The Micronesian Legal Services Corporation provides legal assistance to low-income families in cases of victims of physical or sexual abuse.

57. Palau clarified that sex between consenting same-sex adults is not criminalized in its domestic laws.

58. Regarding climate change, Palau indicated that the Office of Environmental Response and Coordination was established by an executive decree in order to oversee environmental issues and that it is the focal point of three United Nations conventions in the matter.

59. Regarding human trafficking, Palau indicated that it has recently established the Human Trafficking Task Force Committee to oversee human trafficking issues and process complaints. Palau is the only Pacific Island State which has progressive stand-alone legislation on human trafficking. There was also a proposed legislation to enhance assistance to victims of human trafficking.

## **II. Conclusions and/or recommendations**

60. **The recommendations formulated during the interactive dialogue have been examined by Palau and enjoy its support:**

**60.1. Issue a standing invitation to all special procedures of the Human Rights Council (Hungary);**

**60.2. Extend a standing invitation to special procedure mandate-holders as a way of informing and supporting human rights reforms (Maldives);**

**60.3. Extend a standing invitation to the special procedure mechanisms of the United Nations (South Africa);**

**60.4. Consider identifying a priority list of issues and areas of requirements needed in the field of technical assistance and capacity-building and to approach the relevant partners at the multilateral or bilateral levels (Malaysia);**

**60.5. Engage civil society in the UPR follow-up process (Poland).**

61. **The following recommendations enjoy the support of Palau, which considers that they are already implemented or in the process of implementation:**

**61.1. Increase its efforts aimed at the incorporation of the CRC provisions and principles into the domestic legal system (Poland);**

**61.2. Ensure human rights are afforded full legal protection in the Republic of Palau (Australia);**

**61.3. Immediately criminalize rape within marriage and give men and women equal rights of inheritance (Norway);**

**61.4. Amend relevant domestic legislation so as to offer married women the same level of protection against coerced sex as to unmarried women and remove the law which discriminates against a wife's and female child's right to inherit property (United Kingdom);**

**61.5. Take the necessary steps towards the establishment of a national human rights institution in accordance with the Paris Principles (Canada);**

**61.6. Set up the national human rights institution (Republic of Moldova);**

**61.7. Finalize, as soon as possible, the draft legislation for the establishment of a national human rights institution in conformity with the Paris Principles (France);**

- 61.8. Consider establishing a national human rights institution in accordance with the Paris Principles (Poland);
- 61.9. Establish a national human rights institution in accordance with the Paris Principles (Argentina);
- 61.10. Continue consultations to set up a national human rights institution and materialize this project as soon as possible (Morocco);
- 61.11. Consider in future policies the establishment of a national human rights institution, which could favour the gradual incorporation of international commitments with an adequate and permanent technical assistance (Chile);
- 61.12. Complete the establishment of the national human rights institution (Maldives);
- 61.13. Establish an independent national human rights institution in compliance with the Paris Principles (South Africa);
- 61.14. Take measures to ensure the full implementation of the principles and provisions of the Convention on the Rights of the Child. Intensify efforts to establish an Ombudsman for Children to deal with complaints of violations of the rights of the child, particularly those related to child exploitation and sexual violence (Spain);
- 61.15. Pursue its efforts in facing the challenges identified in its national report, with special attention to combating human trafficking and discrimination and improving the situation of migrant workers as they represent an important section in the country (Algeria);
- 61.16. Take all measures to implement the National Action Plan for Children (Republic of Moldova);
- 61.17. Establish policies, programmes and services to provide children with greater protection and care (Brazil);
- 61.18. Maintain its policy to promote and protect vulnerable persons and continue with its efforts to develop a national policy for the benefit of persons with disabilities (Morocco);
- 61.19. Accelerate efforts aimed at raising awareness and education among the general population on human rights, particularly on the rights of women, children and disabled persons (Malaysia);
- 61.20. Meet its reporting obligations under the CRC (Maldives);
- 61.21. Revise existing laws identified in its national report as being discriminatory against women (Canada);
- 61.22. Promote and protect the rights of persons with disabilities by, among others, involving persons with disabilities in all phases of ratification of the CRPD and the Palau National Policy on Disability, and ensuring access to education as well as an inclusive education system at all levels for children with disabilities (Thailand);
- 61.23. Adopt legislative and public policy measures aimed at eliminating discrimination against children in situation of vulnerability, including children of immigrant families (Argentina);

- 61.24. Consider adopting national legislative measures to ensure gender equality, as stipulated in its Constitution, and to combat and eliminate violence against women (Costa Rica);
- 61.25. Enact laws to ensure that all women, regardless of their marital status, are provided with the same level of protection against rape and that women are not discriminated against in family inheritances (New Zealand);
- 61.26. Speed up the adoption by the Congress of the bill on family protection and ensure that this project protect the victims of violence and punish perpetrators. Establish training mechanisms on violence against women for police officers, lawyers and judges (Mexico);
- 61.27. Consider establishing shelters for victims of domestic violence and reinforce efforts to prevent and combat child abuses, including measures to assist in recovery and reintegration (Canada);
- 61.28. Pass legislation to address domestic violence (United States of America);
- 61.29. Urgently adopt of the law on family protection, which is currently under discussion in the Congress, with a view to improving the protection and prevention against domestic violence, as well as the compensation and assistance to the victims (Spain);
- 61.30. Raise public awareness and adopt legislation to combat domestic violence (Brazil);
- 61.31. Consider the adoption of legislation which specifically governs domestic violence and consider the creation of structures for the shelter and protection of victims of violence (Morocco);
- 61.32. Take concrete steps to strengthen the protection of victims of domestic violence, ensuring that complaints of domestic violence are properly registered and investigated by the police, and that perpetrators are prosecuted and convicted (Norway);
- 61.33. Consider legislative measures to tackle the question of domestic violence (Chile);
- 61.34. Implement policies to ensure the promotion of the rights of women and children, specifically in combating domestic violence (South Africa);
- 61.35. Urgently enact legislation to protect women from domestic violence and establish facilities to provide temporary shelter and protection for victims (New Zealand);
- 61.36. Continue making efforts to investigate, prosecute and punish offenders of human trafficking (United States of America);
- 61.37. Take measures to protect victims of trafficking by providing shelters and facilitate the process in order for victims to witness against traffickers in court (Norway);
- 61.38. Reinforce the efforts to prevent and combat trafficking in human beings for sexual exploitation with particular focus on children (Slovakia);
- 61.39. Adopt legislation aimed at protecting children from economic and sexual exploitation (Thailand);

- 61.40. Adopt expeditiously necessary legislation and implement all relevant measures to prevent and combat sexual abuse of children, providing for the physical and psychological recovery and social reintegration of child victims (Slovakia);
- 61.41. Conduct investigation of all alleged sexual abuse of children in a child-friendly judicial procedure, with due regard given to protecting the right to privacy of the child (Slovakia);
- 61.42. Step up the implementation of measures to combat, prevent and punish acts of child abuse, child neglect and domestic violence (Malaysia);
- 61.43. Prohibit and eliminate all forms of corporal punishment (Poland);
- 61.44. Prohibit the use of corporal punishment in homes and in schools and conduct awareness campaigns to reduce the scope of this action (Norway);
- 61.45. Adopt legislation to raise public awareness to prohibit and eliminate all forms of corporal punishment (Brazil);
- 61.46. Establish mechanisms ensuring that street children are provided with clothing, housing, health and educational services (Poland);
- 61.47. Take steps to increase the number of women in decision-making positions (Norway);
- 61.48. Continue efforts aimed at increasing the participation of women in the economic and political spheres as well as to consider ratification of CEDAW (Malaysia);
- 61.49. Pursue its efforts aiming to ensure food security and reaching the MDGs and formulate its specific international cooperation and technical assistance requests to this end (Algeria);
- 61.50. Continue to implement its socio-economic development strategies and plans for the country (Cuba);
- 61.51. Continue to implement programs and measures to move forward in the achievement of the MDGs between now and 2015 (Cuba);
- 61.52. Intensify the efforts, including through increasing the seeking of technical cooperation, for establishing special educational programmes for boys and girls with disabilities (Mexico);
- 61.53. Adopt additional measures to prevent the mistreatment of foreign nationals, combat discrimination against them, follow through on pursuing and prosecuting crimes against them and enforce regulation more effectively to protect foreign workers, particularly with regard to conditions of work and respect for occupational and safety standards (Canada);
- 61.54. Adopt a new Labour Code which provides more transparent regulations regarding the treatment of foreign workers and establishes a minimum wage (Hungary);
- 61.55. Take concrete measures to protect the rights of foreign workers (China);
- 61.56. Improve its enforcement of regulations to protect foreign workers and extend coverage of minimum wage requirements to include foreign workers (New Zealand);

61.57. Draw up a plan to manage and mitigate natural disasters together with the regional mechanisms and the United Nations, taking into account the possible large-scale internal and international displacement of population (Mexico);

61.58. Strengthen its technical cooperation with relevant agencies and stakeholders in order to prevent the adverse impact of climate change on its promotion and protection of human rights (Thailand);

61.59. Continue its leading international efforts to tackle global warming, including by reminding developed countries and other major emitting States of their obligation to help and protect human rights in Palau by reducing greenhouse gas emissions to safe levels (Maldives).

62. The following recommendations will be examined by Palau, which will provide responses in due time, but no later than the eighteenth session of the Human Rights Council in September 2011. The response of Palau to these recommendations will be included in the outcome report adopted by the Human Rights Council at that session:

62.1. Consider acceding to the remaining core international human rights instruments as well as step up the efforts aimed at establishing a National Human Rights Institution (Algeria);

62.2. Sign and ratify, as soon as possible, all fundamental international human rights instruments and their protocols (Brazil);

62.3. Increase Palau's participation in the main international human rights instruments and accede to the international treaties to which is not yet party (Morocco);

62.4. Consider the ratification of the core international human instruments and bringing national legislation in line with the provision of these instruments (South Africa);

62.5. Ratify fundamental international human rights instruments in order to create a proper national framework of action to promote and protect human rights (Trinidad and Tobago);

62.6. Consider acceding to the major international instruments, including the International Covenant on Economic, Social and Cultural Rights (China);

62.7. Supplement their international commitments by making it a priority to accede to the ICCPR and ICESCR (France);

62.8. Ratify the ICCPR, the ICESCR and CEDAW (Norway);

62.9. Consider ratifying the main human rights instruments, particularly the ICCPR, the ICESCR and the CEDAW (United Kingdom);

62.10. Consider ratifying the core international human rights treaties: ICESCR, ICCPR, ICERD, CEDAW and CAT (Poland);

62.11. Consider acceding to the main human rights instruments to which it is not a party, in particular the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol (Costa Rica);

62.12. Ratify the remaining human rights conventions, particularly CEDAW (Maldives);

- 62.13. **Accede to CEDAW (Turkey);**
- 62.14. **Ratify the Convention on the Elimination of All Forms of Discrimination against Women (Canada);**
- 62.15. **Ratify the Convention on the Elimination of All Forms of Discrimination against Women, which was given Senate's approval in 2008, and accede to other instruments (Republic of Moldova);**
- 62.16. **Ratify CEDAW and revise relevant legislation in accordance with international standards to provide an efficient legislation for the best interests of women (Hungary);**
- 62.17. **Finalize the process for the ratification of CEDAW and take all the necessary steps to implement the provisions of the Convention (France);**
- 62.18. **Gradual consideration be given, with the assistance of OHCHR, to the ratification of some human rights treaties, in particular the International Convention on the Elimination of All Forms of Discrimination against Women and the Optional Protocols to the Convention on the Rights of the Child within the framework of the National Plan of Action for Children referred in the national report (Chile);**
- 62.19. **Continue working with national and state governments and women's groups to remove the reservations to the Convention on the Elimination of All Forms of Discrimination against Women (Australia);**
- 62.20. **Continue to pursue the ratification of International Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of Persons with Disabilities, including the Convention on Migrant Workers (Philippines);**
- 62.21. **Ratify the Convention on the Rights of Persons with Disabilities and work to implement the Pacific Regional Strategy on Disability (Australia);**
- 62.22. **Become a party to and implement the Convention on the Rights of Persons with Disabilities as a matter of priority and further include persons with disabilities throughout this process (New Zealand);**
- 62.23. **Consider the possibility of ratifying the main human rights international instruments, particularly the International Covenant on Civil and Political Rights and its Optional Protocols; the International Covenant on Economic, Social and Cultural Rights; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the International Convention on the Elimination of All Forms of Racial Discrimination; the International Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocols; and the International Convention for the Protection of All Persons from Enforced Disappearance (Argentina);**
- 62.24. **Sign and ratify the two International Covenants; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Rights of Persons with Disabilities and its Optional Protocols; the International Convention for the Protection of All Persons from Enforced Disappearance; and the International Convention on the Elimination of All Forms of Racial Discrimination. Ratify the two Optional Protocols on the Convention on the Rights of the Child. In particular, sign and ratify the International Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol, whose ratification was approved by**



the Senate in early 2008 and is still awaiting for the approval of the House of Representatives (Spain);

62.25. Accede to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol; to the 1954 Convention relating to the Status of Stateless Persons and to the 1961 Convention on the Reduction of Statelessness (Republic of Moldova);

62.26. Become a party to the 1951 Refugee Convention and 1967 Refugee Protocol (United States of America);

62.27. Ratify the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness (Slovakia);

62.28. Consider ratification of the Convention against Transnational Organized Crime and its Palermo Protocol (Philippines);

62.29. Revise the status of children born of foreign parents in accordance with relevant international standards (Hungary);

62.30. Review the legislation on minimum age for criminal responsibility (Brazil);

62.31. Raise the minimum age of criminal responsibility in compliance with international standards (Slovakia);

62.32. Circulate and implement the recently adopted rules on the treatment of women prisoners and non-custodial measures for women offenders, otherwise known as the Bangkok Rules, and seek necessary support from such relevant agencies as UNODC and OHCHR (Thailand);

62.33. Ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and children, a protocol to the Convention against Transnational Organized Crime (United States of America);

62.34. Urgently implement legislation that specifically addresses child sexual exploitation through electronic images and take appropriate measures to ensure adequate legal protection of children, including boys, against commercial sexual exploitation (United Kingdom);

62.35. Enact legislation that addresses exploitation of children via sexually explicit videos, movies, photos and electronic images (New Zealand);

62.36. Enact legislation to prevent child labour and protect children from commercial sexual exploitation (Trinidad and Tobago);

62.37. Seek the assistance of ILO to combat child labour (Brazil);

62.38. Confirm its commitment to non-discrimination by decriminalizing sexual relations between consenting adults of the same sex and by repealing the discriminatory provisions against LGBT persons (France);

62.39. Bring its national legislation into conformity with its commitment to equality and non-discrimination, by repealing the provision of Palau's Penal Code which continues to criminalize sexual relations between consenting adults of the same sex (Norway);

62.40. Repeal all provisions in domestic legislation criminalizing consensual sexual activity between same sex adults and combat discrimination against LGBT through political, legislative and administrative measures (Spain);

62.41. **Equalize the legal minimum age of marriage for girls and boys (Norway);**

62.42. **Establish a more formal system to provide protection for refugees and asylum-seekers (United States of America).**

63. **All conclusions and recommendations contained in the present report reflect the position of the submitting States and the State under review. They should not be construed as being endorsed by the Working Group as a whole.**

### **III. Voluntary pledges and commitments**

64. Palau pledged to extend an open standing invitation to special procedures mandate holders.

## Annex

### Composition of the delegation

The delegation of Palau was headed by The Honorable John C. Gibbons, Minister of Justice and composed of the following members:

- Ms. Ernestine K. Rengiil, Attorney General;
  - Mr. Warren S. Umetaro, Chief of Staff, Office of the Vice President/Minister of Finance;
  - Mr. Jeffrey Antol, Director, Bureau of Foreign Affairs, Ministry of State;
  - Ms. Joann R. Tarkong, Special Assistant to the President/Palau UPR Task Force Secretariat;
  - Mr. Filipino Masaurua, Advisor (from the Pacific Islands Forum Secretariat).
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