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**Human Rights Council**  
**Working Group on the Universal Periodic Review**  
**Thirty-seventh session**  
18–29 January 2021

## **Compilation on the Federated States of Micronesia**

### **Report of the Office of the United Nations High Commissioner for Human Rights**

#### **I. Background**

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a compilation of information contained in reports of treaty bodies and special procedures and other relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

#### **II. Scope of international obligations and cooperation with international human rights mechanisms and bodies<sup>1, 2</sup>**

2. The Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child welcomed the ratification by the Federated States of Micronesia of the Convention on the Rights of Persons with Disabilities in 2016.<sup>3</sup>

3. The Committee on the Rights of the Child and the United Nations country team recommended that the Federated States of Micronesia ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.<sup>4</sup> The Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child recommended that the Federated States of Micronesia ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the International Convention for the Protection of All Persons from Enforced Disappearance and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.<sup>5</sup> The United Nations country team recommended that the Federated States of Micronesia ratify the remaining core international human rights treaties.<sup>6</sup> The Committee on the Elimination of Discrimination against Women encouraged the Federated States of Micronesia to ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.<sup>7</sup>

4. The United Nations country team recommended that the Federated States of Micronesia ratify the Convention on the Prevention and Punishment of the Crime of Genocide, the Rome Statute of the International Criminal Court, the Convention relating to



the Status of Refugees and the Protocol thereto.<sup>8</sup> It also recommended that the Federated States of Micronesia consider applying for membership in the International Labour Organization (ILO), with a view to ratifying the fundamental ILO conventions.<sup>9</sup> The United Nations Educational, Scientific and Cultural Organization (UNESCO) recommended that the Federated States of Micronesia ratify the Convention against Discrimination in Education.<sup>10</sup>

5. The Committee on the Elimination of Discrimination against Women recommended that the Federated States of Micronesia expedite without delay the review of all its reservations to the Convention on the Elimination of All Forms of Discrimination against Women, with a view to withdrawing them or narrowing their scope, in consultation with women's civil society groups.<sup>11</sup>

6. The United Nations country team noted that the country had ratified the Convention on the Rights of Persons with Disabilities in 2016 and that its initial report under article 35 of the Convention was due in January 2019. The United Nations country team recommended that the Federated States of Micronesia submit the initial report without further delay.<sup>12</sup>

7. The United Nations country team recommended that the Federated States of Micronesia consider issuing a standing invitation to the special procedures of the Human Rights Council.<sup>13</sup>

8. The Federated States of Micronesia is covered by the Regional Office for the Pacific of the Office of the United Nations High Commissioner for Human Rights (OHCHR). OHCHR worked with the Federated States of Micronesia in areas such as the inter-institutional mechanism for reporting and following up on international recommendations and reporting to the treaty bodies, as well as other activities.<sup>14</sup>

### **III. National human rights framework<sup>15</sup>**

9. The Committee on the Elimination of Discrimination against Women noted with concern that the country had not yet taken steps to establish an independent national human rights institution with a wide mandate to protect and promote women's human rights. The Committee recommended that the Federated States of Micronesia establish an independent national human rights institution in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).<sup>16</sup> The United Nations country team made a similar recommendation.<sup>17</sup>

10. The Committee on the Rights of the Child recommended that the Federated States of Micronesia strengthen the Universal Periodic Review and Human Rights Task Force and ensure that it had a mandate to coordinate and prepare reports to international and regional human rights mechanisms and to coordinate and track national follow-up to and implementation of treaty obligations and the recommendations of related mechanisms.<sup>18</sup> The United Nations country team recommended that the Federated States of Micronesia ensure the effective functioning of the Task Force, while working towards establishing a fully functioning national mechanism for reporting and follow-up.<sup>19</sup>

## **IV. Implementation of international human rights obligations, taking into account applicable international humanitarian law**

### **A. Cross-cutting issues**

#### **1. Equality and non-discrimination<sup>20</sup>**

11. The Committee on the Rights of the Child noted that the Federal Constitution and state constitutions provided for equality and equal protection of the law and prohibited discrimination on the grounds of race, sex, language, national, ethnic or social origin or property, but it was concerned that they did not prohibit discrimination on all explicit grounds covered under the Convention, including disability and religion.<sup>21</sup>

12. In its submission for the previous universal periodic review cycle, the United Nations country team had recommended that the Federated States of Micronesia amend the Constitution to include gender, sexual orientation and disability as grounds for non-discrimination. The United Nations country team noted that, according to information available, no progress had been made in that regard.<sup>22</sup>

## **2. Development, the environment, and business and human rights<sup>23</sup>**

13. The United Nations country team acknowledged the importance of the nationwide integrated disaster risk management and climate change policy of June 2013 and the strategic development plan, 2004–2023, in recognition of the need to safeguard the development of the people, resources and economy against the risks posed by climate change.<sup>24</sup> Recommendations on similar issues were made by the Committee on the Rights of the Child.<sup>25</sup>

14. The Committee on the Elimination of Discrimination against Women welcomed the fact that the country was the first Pacific Island State to adopt a climate change act. Nevertheless, it noted with concern the disproportionate impact of climate change, rising sea levels and other weather-related disasters on women.<sup>26</sup> The United Nations country team recommended that the Federated States of Micronesia ensure that policies and measures to counter the effects of climate change were carried out through a human-rights based approach, which included gender responsive climate action.<sup>27</sup>

## **B. Civil and political rights**

### **1. Right to life, liberty and security of person**

15. The Committee on the Rights of the Child noted with appreciation the measures taken by the country to protect children's right to life, survival and development, however, it was concerned about, among other things, teen suicide, drowning and other accidents that affected children's right to life, survival and development.<sup>28</sup> The Committee on the Rights of the Child recommended that the Federated States of Micronesia take urgent action to strengthen its efforts to prevent suicide among children, including those with disabilities, by ensuring the availability of psychological counselling services in schools and communities.<sup>29</sup>

### **2. Administration of justice, including impunity, and the rule of law<sup>30</sup>**

16. The Committee on the Elimination of Discrimination against Women noted the existence of plural justice systems in the country and noted with concern the lack of effective access to justice for women and their inability to obtain redress in the formal justice system, as a result of multiple factors, including poverty, negative gender stereotyping, the limited availability of free legal aid and the low number of courts throughout the territory.<sup>31</sup> The Committee recommended that the Federated States of Micronesia strengthen the judicial system to ensure that women had effective access to justice, including by increasing human, technical and financial resources.<sup>32</sup> The United Nations country team recommended that the Federated States of Micronesia strengthen measures to ensure access for women to justice, encourage the reporting of cases of violence to the authorities and ensure that victims have access to protection, redress and appropriate support services.<sup>33</sup>

17. The Committee on the Rights of the Child noted with appreciation that the Federal Code and state codes set out a number of provisions on child justice which provided for flexible procedures for legal proceedings involving children accused of criminal offences. However, the Committee was concerned about, among other things, the low minimum age of criminal responsibility in the state codes, which was set at 10 years of age.<sup>34</sup> The Committee recommended that the Federated States of Micronesia raise the minimum age of criminal responsibility in all states to at least 14 years of age, adopt legislation for the administration of child justice, ensure that all children under 18 years of age were accorded all proper legal safeguards and promote non-judicial measures, such as diversion, mediation and counselling, for children accused of criminal offences.<sup>35</sup>

### 3. Fundamental freedoms and the right to participate in public and political life<sup>36</sup>

18. UNESCO noted that freedom of information was not guaranteed in the country and that the Federated States of Micronesia was not obliged to release information. It added that defamation remained a criminal offence in the Federated States of Micronesia.<sup>37</sup> UNESCO recommended that the Federated States of Micronesia introduce an access to information law that was in accordance with international standards and that it decriminalize defamation.<sup>38</sup> A similar recommendation was made by the United Nations country team.<sup>39</sup>

19. UNESCO noted that journalists and media professionals worked in a safe environment in the country.<sup>40</sup>

### 4. Prohibition of all forms of slavery<sup>41</sup>

20. The Committee on the Rights of the Child and the Committee on the Elimination of Discrimination against Women welcomed the adoption of legislation and an action plan on trafficking, as well as the related training of law enforcement and government officials. However, they were concerned that current legislation did not explicitly criminalize the sale and abduction of children, that there were no formal procedures to identify children who were victims of trafficking and about reports of the trafficking of girls and the exploitation of girls in prostitution, including in foreign fishing vessels.<sup>42</sup> The Committee on the Elimination of Discrimination against Women recommended that the Federated States of Micronesia address the root causes of trafficking and exploitation of prostitution, as well as the link between the foreign fishing industry and trafficking in women and the exploitation of women in prostitution.<sup>43</sup>

21. The United Nations country team noted that the laws in Pohnpei and Chuuk States did not explicitly prohibit the trafficking of adults for sexual exploitation and that women and girls reportedly continued to be exploited in prostitution.<sup>44</sup> The United Nations country team recommended that the Federated States of Micronesia harmonize antitrafficking legislation, at both the federal and state levels, with international standards and ensure that penalties were commensurate with the gravity of the crime.<sup>45</sup>

### 5. Right to privacy and family life<sup>46</sup>

22. While noting with appreciation the adoption of the Kosrae Family Protection Act and the Pohnpei Family Safety Act and the intention of the State to adopt comprehensive child protection legislation, the Committee on the Rights of the Child was concerned about the lack of family protection legislation in Yap and Chuuk. The Committee recommended that the Federated States of Micronesia adopt family protection laws in Yap and Chuuk and allocate appropriate human, technical and financial resources for their implementation.<sup>47</sup>

23. The Committee on the Elimination of Discrimination against Women was concerned about the legal inconsistencies among states regarding marriage and family relations, which resulted in discrimination against women.<sup>48</sup> The Committee recommended that the Federated States of Micronesia take the measures necessary to ensure that women and men in its territory had equal rights in marriage, divorce, property relations, child custody and inheritance, set the legal minimum age of marriage at 18 years for both girls and boys and criminalize child marriage and bigamy.<sup>49</sup>

## C. Economic, social and cultural rights

### 1. Right to work and to just and favourable conditions of work<sup>50</sup>

24. The Committee on the Elimination of Discrimination against Women welcomed the adoption of legislation on maternity leave and the increase in the employment rates among women in the public sector. However, it noted with concern inconsistencies in the legislative and policy framework in the field of employment across states, the gender pay gap, the low representation of women in managerial positions and the absence of legislation specifically criminalizing sexual harassment in the workplace.<sup>51</sup> The Committee recommended that the Federated States of Micronesia take legal and other measures to eliminate discrimination against women in the field of employment, increase employment opportunities for women, reduce structural inequalities in employment and the gender pay gap and adopt legislation specifically criminalizing sexual harassment in the workplace.<sup>52</sup>

## 2. Right to social security

25. The United Nations country team noted that the Federated States of Micronesia had supported the recommendation made during the second universal periodic review cycle to put into place a broader social safety net designed to cover all segments of society. It noted that, while a range of social security programmes was in place, the programmes only benefited those who had worked in the formal economy. The United Nations country team recommended that the Federated States of Micronesia step up efforts to put into place a broader social safety net to cover all segments of society, in particular persons working in the informal sector, and to adopt social protection systems and packages that took into account the specific needs of women and persons with disabilities, as part of the socioeconomic response to the coronavirus disease (COVID-19) pandemic.<sup>53</sup>

## 3. Right to an adequate standard of living<sup>54</sup>

26. The United Nations country team noted that the country had supported the recommendation made during the second universal periodic review cycle to combat malnutrition and micronutrient deficiencies by ensuring the right to adequate and healthy food. However, malnutrition continued to be a concern, in particular among young children, due to the consumption of unhealthy food. It noted that a key constraint in monitoring the health and nutritional status of children and women in the country was the lack of a national representative household survey, such as the demographic and health survey or the multi-indicator cluster survey that had been undertaken in several other Pacific Island countries.<sup>55</sup> The United Nations country team recommended that the Federated States of Micronesia step up measures to ensure access to healthy, affordable food, in particular for children.<sup>56</sup>

## 4. Right to health<sup>57</sup>

27. The Committee on the Rights of the Child welcomed the measures taken to reduce the mortality rates and incidence of anaemia among infants and children under 5 years of age, as well as those to improve vaccination coverage. However, it was concerned about the insufficient access to health-care services for children living in the outer islands and remote villages. The Committee recommended that the Federated States of Micronesia increase efforts to improve access to basic health-care services for all children, in particular in the outer islands and remote villages, and provide resources for the establishment of mobile clinics.<sup>58</sup>

28. The Committee on the Rights of the Child and the Committee on the Elimination of Discrimination against Women noted with appreciation the measures taken to address substance abuse among adolescents, but they were concerned about the high rate of teenage pregnancy, the criminalization of abortion in all cases except where the life of the mother was at risk and the limited access to safe reproductive and sexual health services.<sup>59</sup> The Committee on the Elimination of Discrimination against Women was concerned about the health situation of women in remote areas and on outlying islands.<sup>60</sup> The Committee on the Rights of the Child, taking note of targets 3.7 and 5.6 of the Sustainable Development Goals, recommended that the Federated States of Micronesia ensure that sexual and reproductive health education was part of the mandatory school curriculum, decriminalize abortion in all circumstances and improve access for adolescents to reproductive health care.<sup>61</sup> The Committee on the Elimination of Discrimination against Women and the United Nations country team made similar recommendations.<sup>62</sup>

## 5. Right to education<sup>63</sup>

29. UNESCO noted that no legal provision had been identified that guaranteed free and compulsory primary and secondary education, nor pre-primary education, as called for under the Education 2030 Agenda.<sup>64</sup> UNESCO recommended that the Federated States of Micronesia ensure the accessibility and availability of information related to the education sector, and consider adopting legal provisions that provided for at least 12 years of free primary and secondary education and at least one year of free and compulsory pre-primary education.<sup>65</sup>

30. The Committee on the Rights of the Child was concerned about decreasing rates of enrolment in primary and secondary schools and increasing dropout rates and regional disparities in the quality of education.<sup>66</sup> The United Nations country team noted that the

quality of education services, the heavy reliance on donor funding and the difficulties associated with providing educational services on remote islands remained key challenges.<sup>67</sup>

31. The Committee on the Elimination of Discrimination against Women commended the Federated States of Micronesia on the achievement of gender parity at the primary school level, but it was concerned that the principle of gender equality had not been incorporated into the curricula at higher levels. The Committee was also concerned about the high number of teenage pregnancies and the expulsion of pregnant girls from private schools.<sup>68</sup>

32. The Committee on the Rights of the Child, taking note of targets 4.1 and 4.2 of the Sustainable Development Goals, recommended that the Federated States of Micronesia ensure that all girls and boys completed equitable and quality primary and secondary education, enhance efforts to improve the accessibility and quality of education, take measures to keep pregnant girls and adolescent mothers in mainstream schools and allocate sufficient financial resources for the expansion of early childhood education.<sup>69</sup> The Committee on the Elimination of Discrimination against Women and the United Nations country team made similar recommendations.<sup>70</sup>

## **D. Rights of specific persons or groups**

### **1. Women<sup>71</sup>**

33. The Committee on the Elimination of Discrimination against Women noted that the national Constitution and the constitutions of the four states prohibited discrimination on grounds of sex. Nevertheless, the Committee was concerned that none of the constitutions defined discrimination in line with article 1 of the Convention on the Elimination of All Forms of Discrimination against Women.<sup>72</sup> The Committee, taking note of the target 5.1 of the Sustainable Development Goals, recommended that the Federated States of Micronesia incorporate into the national Constitution or other appropriate legislation a definition of discrimination against women in line with article 1 of the Convention, covering direct and indirect discrimination and discrimination in the public and private spheres.<sup>73</sup>

34. The Committee on the Elimination of Discrimination against Women was concerned about the persistence of adverse cultural norms, practices and deep-rooted discriminatory stereotypes regarding the roles and responsibilities of women and men in the family and in society.<sup>74</sup> The Committee recommended that the Federated States of Micronesia put into place a comprehensive strategy with specific targets to modify or eliminate discriminatory stereotypes.<sup>75</sup>

35. The United Nations country team noted that the national gender equality policy, 2018–2023, had been approved and was focused on improving the representation of women in decision-making, the elimination of gender-based violence, improving education outcomes, addressing barriers in the workforce, providing better health care and mainstreaming a gender perspective across government.<sup>76</sup>

36. The Committee on the Elimination of Discrimination against Women noted with concern the absence of a strategy to implement temporary special measures to accelerate the achievement of substantive equality between women and men in the country.<sup>77</sup> The Committee recommended that the Federated States of Micronesia implement temporary special measures, such as gender quotas and gender-specific programmes, in all areas in which women were underrepresented or disadvantaged.<sup>78</sup>

37. The Committee on the Elimination of Discrimination against Women was concerned about the widespread gender-based violence against women, in particular domestic violence, and the lack of prosecutions and convictions of perpetrators of such violence.<sup>79</sup> The United Nations country team noted that, while the country had adopted measures to eliminate gender-based violence against women, violence against women remained prevalent. In 2017, the Pohnpei State Legislature passed the Domestic Issues Act, which set out mechanisms and procedures to address incidents of domestic violence. The legislature of Yap had also drafted a domestic violence bill, which was being reviewed. However, federal legislation criminalizing violence against women had yet to be adopted.<sup>80</sup> The Committee recommended that the Federated States of Micronesia adopt legislation at

both the national and state levels to criminalize all forms of gender-based violence against women, including domestic violence, and to put into place a comprehensive national policy to eliminate gender-based violence against women.<sup>81</sup>

38. The United Nations country team noted that support for survivors of gender-based violence also remained insufficient, given that no health facilities met the minimum required standards for providing assistance to survivors of violence, as indicated by the results of the assessment of health facility readiness and service availability conducted in November 2018.<sup>82</sup>

39. The United Nations country team noted that, in 2019, the Government supported the development of the national policy for ending violence against women, although it had not yet been officially endorsed. However, state action plans had been developed and endorsed in Yap, Pohnpei, Kosrae and Chuuk States. As a key action under the policy, the Government supported assessments of the referral pathways for survivors of violence through the health system in all four states in 2019. The United Nations country team recommended that the Federated States of Micronesia step up educational and awareness-raising efforts aimed at judges, prosecutors, law enforcement personnel, legal practitioners, traditional leaders, health-care providers, social workers and the general public to sensitize them to the fact that all forms of violence against women were unacceptable. It also recommended that the Federated States of Micronesia ensure the final endorsement of the policy for ending violence against women at the national and state levels and provide adequate funding for its implementation.<sup>83</sup>

40. The Committee on the Elimination of Discrimination against Women noted incremental increases in the role of women in public life, but it was concerned that women remained absent or grossly underrepresented in decision-making positions in all areas, especially at higher levels, of political and public life, and in the National Congress in particular, to which no woman had ever been elected.<sup>84</sup> The Committee recommended that the Federated States of Micronesia take all appropriate measures to enhance the representation of women in decision-making bodies at all levels, including in the National Congress, and empower women to effectively participate in political and public life.<sup>85</sup> The United Nations country team also noted that there had never been a woman elected to the National Congress, but that one woman had been elected in Chuuk State and one woman in Pohnpei State, in 2017. It added that women continued to be absent or underrepresented at the legislative and executive levels of government. In 2018, the National Congress had introduced a bill aimed at guaranteeing representation for one woman from each state as a non-voting member, however, the bill had yet to be adopted.<sup>86</sup>

41. The Committee on the Elimination of Discrimination against Women was concerned about the disadvantaged situation of women in remote rural areas and on outlying islands. The Committee recommended that the Federated States of Micronesia take all appropriate measures to increase access for rural women to health care, education, employment, justice, information and communications technologies and public transport, with the aim of ensuring sustainable rural development and combating poverty.<sup>87</sup>

## 2. Children<sup>88</sup>

42. The United Nations country team noted that the country lacked comprehensive child protection legislation and a national child protection policy that provided guidance on the delivery of child protection, prevention, early intervention and response services for children in need of care and protection.<sup>89</sup> The United Nations country team recommended that the Federated States of Micronesia adopt a comprehensive child protection policy, supported by sufficient human, technical and financial resources, which, inter alia, provided guidance and assigned a government agency to lead and coordinate multisectoral prevention and response efforts.<sup>90</sup>

43. The Committee on the Rights of the Child was concerned that legislation did not prohibit marriage of children under 18 years of age at the national level, and it urged the Federated States of Micronesia to explicitly prohibit by law all marriages, including customary marriages, of boys and girls under 18 years of age and to ensure that the minimum age of marriage was established in law at 18 for both girls and boys in all states, including in the outer islands.<sup>91</sup> Similar concerns were raised by the United Nations country team.<sup>92</sup>

44. The Committee on the Rights of the Child noted with appreciation the measures taken by the Federated States of Micronesia to protect children's right to life, as well as the important role played by programmes such as the personal responsibility education programme for children between 10 and 14 years of age. The Committee was concerned, however, about teen suicide, drowning and other accidents that affected children's right to life, survival and development.<sup>93</sup>

45. The Committee on the Rights of the Child welcomed the fact that the Federated States of Micronesia had undertaken successful measures to ensure that most children were registered at birth in health facilities, but it was concerned about children who were not yet registered, in particular those in the outer islands. Taking note of target 16.9 of the Sustainable Development Goals, the Committee recommended that the Federated States of Micronesia strengthen its efforts to register all children, including children born in the outer islands, by introducing mobile registration units in the outer islands, among other measures.<sup>94</sup>

46. The Committee on the Rights of the Child was seriously concerned about the fact that, although corporal punishment was prohibited as a sentence for a crime, it was not prohibited in the home, schools, childcare institutions, alternative care settings or penal institutions.<sup>95</sup> Similar concerns were raised by the United Nations country team.<sup>96</sup> The United Nations country team recommended that the Federated States of Micronesia enact legislation and policies to ensure that corporal punishment was prohibited in all settings, including in the home and schools.<sup>97</sup>

47. The Committee on the Rights of the Child was concerned that there was no legislation prohibiting child labour or establishing the minimum age for hazardous and non-hazardous work and no programmes to prevent child labour and support children involved in the practice.<sup>98</sup> Taking note of target 8.7 of the Sustainable Development Goals, the Committee recommended that the Federated States of Micronesia establish a minimum age for admission to employment or work, adopt a policy on child labour and explicitly prohibit the employment of children in harmful or hazardous work.<sup>99</sup> Similar recommendations were made by the United Nations country team.<sup>100</sup>

48. With regard to children in conflict with the law, the United Nations country team noted that the country had limited provisions relating to children, such as the use of flexible procedures and closed informal sessions with presence of parents or guardians, and few alternative sentences. It noted that there was a limited range of non-custodial options at the pretrial and sentencing stages and that the minimum age of criminal responsibility was established at 10 years of age.<sup>101</sup> The United Nations country team recommended that the Federated States of Micronesia raise the minimum age of criminal responsibility to at least 14 years of age and enact a comprehensive law governing the child justice system.<sup>102</sup>

### 3. Persons with disabilities<sup>103</sup>

49. The Committee on the Rights of the Child took note of the national policy on disability, 2009–2016, the special education programme and the children with special health-care needs programme and the fact that Kosrae, Pohnpei and Yap States had passed a Disability Act. However, the Committee was concerned that applicability of the national policy on disability had expired in 2016 and had not yet been extended. The Committee recommended that the Federated States of Micronesia adopt a national policy on disability aimed at strengthening health-care services for children with disabilities.<sup>104</sup>

50. The United Nations country team received information about gaps in the availability, affordability and accessibility of services for persons with disabilities. It also noted that the country did not have mental health strategies or a mental health act. Hospitals in both Pohnpei and Chuuk States provided limited mental health services. The United Nations country team recommended that the Federated States of Micronesia develop social protection schemes aimed at increasing the participation and inclusion of persons with disabilities, ensure quality inclusive education in all schools, expand community-based rehabilitation, early identification and referral programmes to cover all children with disabilities and put measures into place to ensure the protection of children admitted to mental health facilities.<sup>105</sup>

51. The United Nations country team noted that, on 29 August 2019, the Pohnpei State Legislature passed a Disability Act and that it was the first state to do so. The United



Nations country team recommended that the Federated States of Micronesia adopt a disability policy in line with the Convention on the Rights of Persons with Disabilities.<sup>106</sup>

#### 4. Migrants, refugees, asylum seekers and internally displaced persons

52. The United Nations country team noted that, due to the lack of employment opportunities in the outer islands and the outlying areas of the main islands, there was internal migration from such areas to urban centres. As a result of the impacts of climate change, internal and external migration was expected to increase in the coming years. The United Nations country team recommended that the Federated States of Micronesia ensure the protection of the rights of refugees, asylum seekers and migrants in its domestic legislation and in practice, including by developing a protection-sensitive entry system that recognized their specific needs and provided for differentiated processes.<sup>107</sup>

#### Notes

- <sup>1</sup> Tables containing information on the scope of international obligations and cooperation with international human rights mechanisms and bodies for the Federated States of Micronesia will be available at [www.ohchr.org/EN/HRBodies/UPR/Pages/FMIndex.aspx](http://www.ohchr.org/EN/HRBodies/UPR/Pages/FMIndex.aspx).
- <sup>2</sup> For relevant recommendations, see A/HRC/31/4, paras. 61.1, 62.1–62.36 and 62.42–62.44.
- <sup>3</sup> CEDAW/C/FSM/CO/1-3, para. 6 (a); and CRC/C/FSM/CO/2, para. 4.
- <sup>4</sup> CRC/C/FSM/CO/2, para. 71; and United Nations country team submission, para. 5.
- <sup>5</sup> CEDAW/C/FSM/CO/1-3, para. 55; and CRC/C/FSM/CO/2, para. 72.
- <sup>6</sup> United Nations country team submission, para. 5.
- <sup>7</sup> CEDAW/C/FSM/CO/1-3, para. 50.
- <sup>8</sup> United Nations country team submission, paras. 5 and 54.
- <sup>9</sup> United Nations country team submission, para. 5.
- <sup>10</sup> United Nations Educational, Scientific and Cultural Organization (UNESCO) submission, p. 3.
- <sup>11</sup> CEDAW/C/FSM/CO/1-3, para. 9 (a).
- <sup>12</sup> United Nations country team submission, paras. 46–50.
- <sup>13</sup> United Nations country team submission, para. 9.
- <sup>14</sup> Office of the United Nations High Commissioner for Human Rights (OHCHR), *United Nations Human Rights Report 2019*, pp. 317–319; *OHCHR Report 2018*, pp. 226–227; *OHCHR Report 2017*, p. 117; and *OHCHR Report 2016*, p. 225.
- <sup>15</sup> For relevant recommendations, see A/HRC/31/4, paras. 62.38–62.40.
- <sup>16</sup> CEDAW/C/FSM/CO/1-3, paras. 18–19.
- <sup>17</sup> United Nations country team submission, para. 56.
- <sup>18</sup> CRC/C/FSM/CO/2, para. 76.
- <sup>19</sup> United Nations country team submission, para. 9.
- <sup>20</sup> For relevant recommendations, see A/HRC/31/4, paras. 62.45 and 62.51–62.54.
- <sup>21</sup> CRC/C/FSM/CO/2, para. 23.
- <sup>22</sup> United Nations country team submission, para. 11.
- <sup>23</sup> For relevant recommendations, see A/HRC/31/4, paras. 62.92–62.93.
- <sup>24</sup> United Nations country team submission, para. 25.
- <sup>25</sup> CRC/C/FSM/CO/2, para. 57 (a).
- <sup>26</sup> CEDAW/C/FSM/CO/1-3, para. 42.
- <sup>27</sup> United Nations country team submission, para. 28.
- <sup>28</sup> CRC/C/FSM/CO/2, para. 27.
- <sup>29</sup> *Ibid.*, para. 28.
- <sup>30</sup> For relevant recommendations, see A/HRC/31/4, para. 62.64.
- <sup>31</sup> CEDAW/C/FSM/CO/1-3, para. 16.
- <sup>32</sup> *Ibid.*, para. 17 (c).
- <sup>33</sup> United Nations country team submission, para. 21.
- <sup>34</sup> CRC/C/FSM/CO/2, para. 69.
- <sup>35</sup> *Ibid.*, para. 70 (a).
- <sup>36</sup> For relevant recommendations, see A/HRC/31/4, paras. 62.77–62.80.
- <sup>37</sup> UNESCO submission, p. 2. See also United Nations country team submission, para. 29.
- <sup>38</sup> UNESCO submission, p. 3.
- <sup>39</sup> United Nations country team submission, para. 29.
- <sup>40</sup> UNESCO submission, p. 2.
- <sup>41</sup> For relevant recommendations, see A/HRC/31/4, paras. 61.2 and 62.75–62.76.
- <sup>42</sup> CRC/C/FSM/CO/2, para. 66; and CEDAW/C/FSM/CO/1-3, paras. 28–29. See also United Nations

- country team submission, para. 23.
- <sup>43</sup> CEDAW/C/FSM/CO/1-3, paras. 28–29.
- <sup>44</sup> United Nations country team submission, para. 22.
- <sup>45</sup> *Ibid.*, para. 23.
- <sup>46</sup> For relevant recommendations, see A/HRC/31/4, para. 62.72.
- <sup>47</sup> CRC/C/FSM/CO/2, paras. 7–8.
- <sup>48</sup> CEDAW/C/FSM/CO/1-3, para. 46.
- <sup>49</sup> *Ibid.*, para. 47.
- <sup>50</sup> For relevant recommendations, see A/HRC/31/4, paras. 62.81–62.82 and 62.85.
- <sup>51</sup> CEDAW/C/FSM/CO/1-3, para. 34.
- <sup>52</sup> *Ibid.*, para. 35.
- <sup>53</sup> United Nations country team submission, para. 30.
- <sup>54</sup> For relevant recommendations, see A/HRC/31/4, paras. 62.83–62.84 and 62.86.
- <sup>55</sup> United Nations country team submission, para. 31.
- <sup>56</sup> *Ibid.*, para. 33.
- <sup>57</sup> For relevant recommendations, see A/HRC/31/4, paras. 62.87–62.89.
- <sup>58</sup> CRC/C/FSM/CO/2, paras. 50 and 51 (a).
- <sup>59</sup> CRC/C/FSM/CO/2, paras. 54–55; and CEDAW/C/FSM/CO/1-3, para. 36. See also United Nations country team submission, paras. 32–33.
- <sup>60</sup> CEDAW/C/FSM/CO/1-3, para. 36.
- <sup>61</sup> CRC/C/FSM/CO/2, para. 55.
- <sup>62</sup> CEDAW/C/FSM/CO/1-3, para. 37; and United Nations country team submission, para. 33.
- <sup>63</sup> For relevant recommendations, see A/HRC/31/4, para. 62.89.
- <sup>64</sup> UNESCO submission, p. 3.
- <sup>65</sup> *Ibid.*
- <sup>66</sup> CRC/C/FSM/CO/2, para. 58. See also United Nations country team submission, para. 34.
- <sup>67</sup> United Nations country team submission, para. 35.
- <sup>68</sup> CEDAW/C/FSM/CO/1-3, para. 32.
- <sup>69</sup> CRC/C/FSM/CO/2, para. 59.
- <sup>70</sup> CEDAW/C/FSM/CO/1-3, para. 33; and United Nations country team submission, para. 36.
- <sup>71</sup> For relevant recommendations, see A/HRC/31/4, paras. 62.37, 62.40, 62.46–62.50 and 62.56–62.71.
- <sup>72</sup> CEDAW/C/FSM/CO/1-3, para. 12.
- <sup>73</sup> *Ibid.*, para. 13.
- <sup>74</sup> *Ibid.*, para. 24.
- <sup>75</sup> *Ibid.*, para. 25.
- <sup>76</sup> United Nations country team submission, para. 13.
- <sup>77</sup> CEDAW/C/FSM/CO/1-3, para. 22.
- <sup>78</sup> *Ibid.*, para. 23.
- <sup>79</sup> *Ibid.*, para. 26.
- <sup>80</sup> United Nations country team submission, paras. 12 and 19.
- <sup>81</sup> CEDAW/C/FSM/CO/1-3, para. 27.
- <sup>82</sup> United Nations country team submission, para. 19.
- <sup>83</sup> *Ibid.*, para. 20.
- <sup>84</sup> CEDAW/C/FSM/CO/1-3, para. 30.
- <sup>85</sup> *Ibid.*, para. 31.
- <sup>86</sup> United Nations country team submission, para. 18.
- <sup>87</sup> CEDAW/C/FSM/CO/1-3, para. 41.
- <sup>88</sup> For relevant recommendations, see A/HRC/31/4, paras. 62.37, 62.40, 64.68–62.70, 62.73–62.74, 62.81–62.82 and 62.91.
- <sup>89</sup> United Nations country team submission, para. 37.
- <sup>90</sup> *Ibid.*, para. 45.
- <sup>91</sup> CRC/C/FSM/CO/2, paras. 21–22.
- <sup>92</sup> United Nations country team submission, para. 39.
- <sup>93</sup> CRC/C/FSM/CO/2, para. 27.
- <sup>94</sup> *Ibid.*, paras. 31–32.
- <sup>95</sup> *Ibid.*, paras. 36 and 37 (a).
- <sup>96</sup> United Nations country team submission, para. 41.
- <sup>97</sup> *Ibid.*, para. 45.
- <sup>98</sup> CRC/C/FSM/CO/2, para. 64. See also United Nations country team submission, para. 40.
- <sup>99</sup> CRC/C/FSM/CO/2, para. 65.
- <sup>100</sup> United Nations country team submission, para. 45.
- <sup>101</sup> *Ibid.*
- <sup>102</sup> *Ibid.*

<sup>103</sup> For relevant recommendations, see A/HRC/31/4, paras. 62.89–62.90.

<sup>104</sup> CRC/C/FSM/CO/2, paras. 48–49.

<sup>105</sup> United Nations country team submission, paras. 46–50.

<sup>106</sup> Ibid., paras. 14–15.

<sup>107</sup> Ibid., para. 54.

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