

Responses to Recommendations

PALAU

Review in the Working Group: 3 May 2011
 Adoption in the Plenary: 21 September 2011

Palau’s responses to recommendations (as of 05.01.2012):

In the Report of the Working Group:	In the Addendum:	During the plenary:	Summary:
66 recs. accepted; (among which 59 are considered as already implemented or in process of implementation); 42 pending	Out of the 42 pending, 17 were accepted; 29 noted (->pending) and 2 were not responded to (part of n°62.10 on ICERD and 62.11 on OPCAT -> pending) ¹	The delegation commented the issues contained in the 42 recs. pending from the working group stage and reiterated their responses contained in the addendum	Accepted: 83 Rejected: 0 No clear position: 0 Pending: 29

List of recommendations contained in Section II of the Report of the Working Group A/HRC/18/5:

- A - 60.1. Issue a standing invitation to all special procedures of the Human Rights Council (Hungary);
- A - 60.2. Extend a standing invitation to special procedure mandate-holders as a way of informing and supporting human rights reforms (Maldives);
- A - 60.3. Extend a standing invitation to the special procedure mechanisms of the United Nations (South Africa);
- A - 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);
- A - 60.5. Engage civil society in the UPR follow-up process (Poland).

¹ The total number of recommendations is now 112 because recommendations n° 62.1, 62.18, 62.20 and 62.24 were split. However, recommendations 62.10 and 62.11 where parts were noted and parts were not responded to were not split.

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

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

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

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

A - 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);

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

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

A - 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);

A - 61.8. Consider establishing a national human rights institution in accordance with the Paris Principles (Poland);

A - 61.9. Establish a national human rights institution in accordance with the Paris Principles (Argentina);

A - 61.10. Continue consultations to set up a national human rights institution and materialize this project as soon as possible (Morocco);

A - 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);

A - 61.12. Complete the establishment of the national human rights institution (Maldives);

A - 61.13. Establish an independent national human rights institution in compliance with the Paris Principles (South Africa);

A - 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);

A - 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);

A - 61.16. Take all measures to implement the National Action Plan for Children (Republic of Moldova);

A - 61.17. Establish policies, programmes and services to provide children with greater protection and care (Brazil);

A - 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);

A - 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);

- A - 61.20. Meet its reporting obligations under the CRC (Maldives);
- A - 61.21. Revise existing laws identified in its national report as being discriminatory against women (Canada);
- A - 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);
- A - 61.23. Adopt legislative and public policy measures aimed at eliminating discrimination against children in situation of vulnerability, including children of immigrant families (Argentina);
- A - 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);
- A - 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);
- A - 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);
- A - 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);
- A - 61.28. Pass legislation to address domestic violence (United States of America);
- A - 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);
- A - 61.30. Raise public awareness and adopt legislation to combat domestic violence (Brazil);
- A - 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);
- A - 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);
- A - 61.33. Consider legislative measures to tackle the question of domestic violence (Chile);
- A - 61.34. Implement policies to ensure the promotion of the rights of women and children, specifically in combating domestic violence (South Africa);
- A - 61.35. Urgently enact legislation to protect women from domestic violence and establish facilities to provide temporary shelter and protection for victims (New Zealand);
- A - 61.36. Continue making efforts to investigate, prosecute and punish offenders of human trafficking (United States of America);
- A - 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);
- A - 61.38. Reinforce the efforts to prevent and combat trafficking in human beings for sexual exploitation with particular focus on children (Slovakia);
- A - 61.39. Adopt legislation aimed at protecting children from economic and sexual exploitation (Thailand);

A - 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);

A - 61.41. Conduct investigation of all alleged sexual abuse of children in a childfriendly judicial procedure, with due regard given to protecting the right to privacy of the child (Slovakia);

A - 61.42. Step up the implementation of measures to combat, prevent and punish acts of child abuse, child neglect and domestic violence (Malaysia);

A - 61.43. Prohibit and eliminate all forms of corporal punishment (Poland);

A - 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);

A - 61.45. Adopt legislation to raise public awareness to prohibit and eliminate all forms of corporal punishment (Brazil);

A - 61.46. Establish mechanisms ensuring that street children are provided with clothing, housing, health and educational services (Poland);

A - 61.47. Take steps to increase the number of women in decision-making positions (Norway);

A - 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);

A - 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);

A - 61.50. Continue to implement its socio-economic development strategies and plans for the country (Cuba);

A - 61.51. Continue to implement programs and measures to move forward in the achievement of the MDGs between now and 2015 (Cuba);

A - 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);

A - 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);

A - 61.54. Adopt a new Labour Code which provides more transparent regulations regarding the treatment of foreign workers and establishes a minimum wage (Hungary);

A - 61.55. Take concrete measures to protect the rights of foreign workers (China);

A - 61.56. Improve its enforcement of regulations to protect foreign workers and extend coverage of minimum wage requirements to include foreign workers (New Zealand);

A - 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);

A - 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);

A - 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:

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

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

P - 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);

P - 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);

P - 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);

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

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

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

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

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

P - 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);

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

P - 62.13. Accede to CEDAW (Turkey);

P - 62.14. Ratify the Convention on the Elimination of All Forms of Discrimination against Women (Canada);

P - 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);

P - 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);

P - 62.17. Finalize the process for the ratification of CEDAW and take all the necessary steps to implement the provisions of the Convention (France);

P - 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

A - 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);

P - 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);

P - 62.20. Continue to pursue the ratification of International Convention on the Elimination of All Forms of Discrimination against Women and

A - the Convention on the Rights of Persons with Disabilities,

P - including the Convention on Migrant Workers (Philippines);

A - 62.21. Ratify the Convention on the Rights of Persons with Disabilities and work to implement the Pacific Regional Strategy on Disability (Australia);

A - 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);

P - 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

P - the two International Covenants; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

A - the Convention on the Rights of Persons with Disabilities and its Optional Protocols;

P - 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.

A - Ratify the two Optional Protocols on the Convention on the Rights of the Child.

P - 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);

P - 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);

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

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

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

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

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

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

P - 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);

P - 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);

A - 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);

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

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

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

A - 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);

A - 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);

A - 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);

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

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

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