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Draft report of the Working Group on the Universal Periodic Review¹

Federated States of Micronesia

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its ninth session from 1 to 12 November 2010. The review of the Federated States of Micronesia was held at the 14th meeting, on 9 November 2010. The delegation of the Federated States of Micronesia was headed by the Deputy Assistant Secretary for Multilateral Affairs, Department of Foreign Affairs, Jackson Soram. At its 17th meeting, held on 12 November 2010, the Working Group adopted the report on the Federated States of Micronesia.
2. On 21 June 2010, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of the Federated States of Micronesia: Angola, China and Uruguay.
3. In accordance with paragraph 15 of the annex to resolution 5/1, the following documents were issued for the review of the Federated States of Micronesia:
 - (a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/9/FSM/1);
 - (b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/9/FSM/2);
 - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/9/FSM/3).
4. A list of questions prepared in advance by the Czech Republic, Germany, Latvia, Slovenia and the United Kingdom of Great Britain and Northern Ireland was transmitted to the Federated States of Micronesia through the troika. Those questions are available on the extranet of the universal periodic review.

I. Summary of the proceedings of the review process

5. During the interactive dialogue, 24 delegations made statements. Recommendations made during the dialogue are found in section II of the present report. A number of delegations congratulated the Federated States of Micronesia on its detailed national report and were pleased to note the consultation with civil society in its preparation. They also noted that, in addition to the adverse effects of climate change on the enjoyment of human rights, the Federated States of Micronesia suffered, like many other small States, from limited financial and material resources, and that the universal periodic review posed special challenges for such a State. A number of delegations indicated that technical and financial assistance should be available in order to provide the country with advice on the ratification of international instruments and the effective implementation of human rights.

A. Presentation by the State under review

6. The Federated States of Micronesia stated that, in order to understand the situation of any Pacific island country, one needed to appreciate the challenges often faced by small island developing States, given their disperse geography, remoteness and isolation, as well as their limited financial resources and capacity constraints. To that end, the delegation pointed out that the Federated States of Micronesia was a widely dispersed country with a small population of a little over 100,000 people and that it was made up of many small islands scattered throughout approximately 1 million square miles in the vast Western

Pacific Ocean. Approximately one third of the population was registered as living on the small remote atolls, which were often difficult to gain access to and provide with the necessary social services.

7. The delegation also indicated that, in preparation for the universal periodic review, the Government of the Federated States of Micronesia had created a task force comprising various entities, including the Department of Foreign Affairs, the Department of Justice and the Department of Health and Social Affairs, to name only a few. Broad consultations had begun in February 2010 with, inter alia, various meetings, workshops and research efforts. Various activities had been carried out with relevant national Government entities, state and local governments, academic institutions, non-governmental organizations, civil society and communities.

8. The Constitution of the Federated States of Micronesia was the supreme law of the land and guaranteed the right to life, liberty, equal protection and due process of law. It guaranteed non-discrimination on the basis of sex, race, ancestry, national origin, language or social status, as well as the right to property. It provided for freedom of expression, peaceful assembly, association and petition and for the non-establishment of religion and its free exercise. It recognized the right of people to education, health care and legal services. It protected the rights of persons with disabilities, the rights of defendants through the presumption of innocence, and the right against self-incrimination and double jeopardy. It prohibited capital punishment.

9. The culture and tradition of the Federated States of Micronesia sustained its people. Micronesian society was matrilineal. In that regard, the significant role of women was central to Micronesian culture and tradition. The personal identity and character of individuals was often associated with clans on the mother's side. Ownership of land was retained through women. Women played a significant role in conflict resolution. More often than not, the word of an elderly woman was the final authority on matters.

10. Micronesian society continued to evolve, and women were involved in modern decision-making. They were running for political offices. At the national level, where national policies were made, women were seated as key decision-makers of the President's Cabinet. At the state level, where policies were affecting people's daily lives, women were involved in decision-making as lawmakers. A few months ago, the first women ever to be seated on the National Supreme Court bench had been sworn in to serve as one of the four justices of the National Supreme Court, and that had been a milestone in the country's political history. At the technical level, many women held key positions that were critical to informing policies. The Government recognized the significant contribution of women and had created the Office of Gender and Development under the Department of Health and Social Services.

11. The delegation indicated that Micronesia was a very peaceful society and that violence against women and children were rare and isolated. Nonetheless, the delegation indicated that the Government of the Federated States of Micronesia recognized the need to protect women and children against domestic and sexual violence and stated that many programmes and activities had been carried out to address sexual violence against women and children. In that connection, under the Compact of Free Association with the United States, the Federated States of Micronesia was eligible for federal grants to tackle domestic and sexual violence against women. Training courses and funding support for police officers to improve capacity and understanding of domestic violence were provided by the Governments of Australia and New Zealand. The Government of Japan had agreed to support the establishment of a new multi-purpose complex in the state of Chuuk, which would house women's activities and raise awareness about women's issues, including domestic and sexual violence. The multipurpose Centre for Women was actually an

initiative of the Chuuk Women's Association, and the Government of the Federated States of Micronesia fully supported the initiative.

12. In terms of legal legislation, the delegation stated that, at the state level, a bill was being considered by the Pohnpei Legislature, which was focused on the importance of the family in the local society. Pohnpei Legislative Bill L.B 53-08 would add a whole new chapter to the legal code, entitled "Family violence".

13. In 2004, the Federated States of Micronesia had adopted its Strategic Development Plan to guide the nation for the next 20 years. A key matrix of the rolling development plan was on gender. Gender, as defined in the Plan, included women, young people, the elderly and the disabled. Issues such as the allocation of reserved seats for women were identified as strategic activities for the gender matrix. The call for the Government to put in place a "no-drop" policy on violence against women and children was also identified as a strategic activity.

14. As a nation, the Federated States of Micronesia recognized the rights of persons with disabilities and provided special services for disabled persons in the areas of education and medical care. Special programmes were available. Just this year, the Federated States of Micronesia had adopted a national policy on the disabled. Sanctioned by the National Congress, the policy set out clear directions on protecting the rights of the disabled. The delegation indicated that the Federated States of Micronesia intended to sign the Convention on the Rights of Persons with Disabilities.

15. Young people were important in the society, and the Government had also adopted its policy on youth this year. The Government played an active role in raising awareness about important social issues and services related to young people. As a vulnerable small island developing State, the Federated States of Micronesia was concerned about the spread of HIV/AIDS among young people and the population as a whole. Therefore, some states had adopted appropriate laws and regulations relating to the rights of those infected with HIV or otherwise had developed AIDS. The efforts of the state of Pohnpei were worth acknowledging, with the adoption of a comprehensive statute on HIV/AIDS prevention in 2008.

16. In order to raise the awareness of young people, the Federated States of Micronesia had hosted the most recent Micronesian Youth Conference. Participants from throughout the region had participated, including young people from the Republic of Palau, the Republic of the Marshall Islands, the United States Territory of Guam and the United States Commonwealth of the Northern Mariana Islands.

17. The Federated States of Micronesia valued the importance of education as essential to human dignity and fundamental rights. Children were a valuable resource, as in any other society. As such, the Federated States of Micronesia provided compulsory primary education, and high school education was free in all primary and public high schools. The Government subsidized private high schools throughout the country. The Federated States of Micronesia was approaching universal school participation at primary schools. The literacy rate was in excess of 90 per cent, with the literacy rate for females slightly higher than that for males.

18. For its part, and as nation, with the partnership of United Nations implementing agencies such as the United Nations Population Fund (UNFPA), the Federated States of Micronesia was heavily engaged in campaigns to raise awareness about reproductive health and health problems facing adolescents. With UNFPA, it had established various reproductive health clinics at various high schools. It continued to appreciate the support of donor partners who contributed to these ongoing efforts.

19. Like many other Pacific island countries, the Federated States of Micronesia was a party to the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women. While the country was a signatory to the Protocols to the Convention on the Rights of the Child, the delegation was pleased to report that resolutions to accede to the two Protocols were pending before its National Congress. The Federated States of Micronesia was endeavouring to consider the core international conventions on human rights for possible ratification and accession. The delegation, however, added that the implementation of treaties was never an easy task for a small island developing State with limited financial resources and capacity constraints, and acknowledged its shortcomings in meeting reporting requirements, gathering and analysing data and putting in place needed legislation. The delegation stated that the Federated States of Micronesia would seek the support of development partners for those important undertakings.

20. The establishment of the United Nations Joint Presence Office had proved beneficial for the Federated States of Micronesia, and it was seeing many activities taking place to address various social issues at different levels, including gender, good governance and violence against children and women, to name but a few.

21. Central to its survival as a small island developing State were its fragile ecosystem and environment. The people of Micronesia depended heavily on marine resources and limited land resources for survival. Unfortunately, the onslaught of the adverse impacts of climate change, with sea-level rise and global warming, continued to threaten its existence and affected the right to life, food, water, property, a quality standard of living and self-determination. It affected the delivery of social services, as they were often redirected to efforts to address the impacts of climate change. The Federated States of Micronesia was strongly of the view that the inadequacy of mitigation actions to reduce greenhouse gases, together with insufficient funding for adaptation to address the adverse impact of climate change, constituted violations of its right to life and liberty, and its right to be free from fear and want.

22. The Federated States of Micronesia concluded that it would continue to affirm the right of its people to continue to live and exist in the face of climate change and global warming. The Federated States of Micronesia subscribed to the Universal Declaration of Human Rights, based on the fundamental principles that all human beings were born free and equal in dignity and rights. The Micronesians were a simple and peaceful people. Therefore, the Government of the Federated States of Micronesia would continue to ensure that its people enjoyed their rights, freedom and liberty. As a sovereign nation and through its Constitution, it affirmed its role as a guardian of its islands. The Federated States of Micronesia would always endeavour to do what was right, necessary and appropriate in order to promote and safeguard the dignity and human rights of its people.

B. Interactive dialogue and responses by the State under review

23. Algeria was aware of the seriousness of the environmental problems linked to the extreme vulnerability of the Federated States of Micronesia to climate change, problems that had had a negative effect on the Government's efforts to achieve a standard of living sufficient for all of the population. Algeria congratulated Micronesia on the ratification of the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child. Noting concerns regarding the possibility of a conflict between customary law and written law, Algeria asked for an indication of the place of customary law in the national justice system. Algeria made recommendations.

24. Cuba stated that the Federated States of Micronesia was another example of the process of colonization and neo-colonization developed by the great Powers. It was only in

1986 that Micronesia had reached its independence, following the dissolution of the administrative trusteeship agreement regarding those territories. Cuba stated that education was a key element in Micronesia's development strategy as well as for people's dignity. Primary education was free and mandatory in national secondary schools, and the country was working to improve its educational infrastructure. Health was another priority: there was a strategic plan for development that included immunization for children under the minimum age for primary education. Cuba made recommendations.

25. Morocco stated that technical assistance remained a guarantee for the success of the universal periodic review if it was provided throughout the process. Morocco noted with satisfaction the Government's efforts in the following areas: ensuring access to free and adequate education for all sectors of society, which had made possible a literacy rate of 90 per cent; access to health through a strategic development plan setting ambitious national goals, especially regarding the fight against infant mortality, which was constantly decreasing; and protection of the environment, which had been particularly affected by demographic growth and population redistribution, as well as by global climate change. Morocco made recommendations.

26. Mexico recognized the efforts of the Federated States of Micronesia regarding the promotion of and respect for human rights, and paid tribute to the significant progress made with respect to persons with disabilities, compulsory primary education and environmental protection. Mexico wished to receive information about measures that Micronesia considered necessary for the harmonization of family rights, including traditions and customs, with international obligations. Mexico made recommendations.

27. Australia welcomed progress made in raising awareness about women's issues, in particular the Government's support for the first National Women's Conference. It welcomed the commitment of the national Government to work with state governments to remove the three reservations to the Convention on the Elimination of All Forms of Discrimination against Women. Australia highlighted the Pacific Regional Strategy on Disability and noted the challenges faced by Micronesia in achieving development goals, as detailed in its national report. Australia made recommendations.

28. Canada welcomed the efforts of Micronesia to ensure full respect for the human rights and fundamental freedoms of all of the country's people. It recognized Micronesia's vulnerability to the impacts of climate change and the direct threat that those impacts posed to the enjoyment of human rights in the country. While noting the commitment made, Canada expressed its concern that women and girls still had unequal access to health care, education and employment opportunities. Canada made recommendations.

29. Brazil stated that a more significant record in the ratification of human rights treaties would enhance the country's engagement with the international community, with direct and positive results for its population. It commented on women's rights, environmental challenges and labour rights in the country and urged continued efforts in education. Brazil raised questions about areas in need of international assistance and the main difficulties in harmonizing domestic law with international instruments. Brazil made recommendations.

30. Slovakia welcomed the fact that the Federated States of Micronesia recognized the right to health care and education and the obligation to take every reasonable and necessary step to provide those services. It also commended Micronesia for involving various non-governmental organizations and civic groups in the process of drafting its national report. It expressed concern over insufficient legislation in the area of marriage and domestic violence, and insufficient awareness about ill treatment and abuse, including sexual abuse, both within and outside the family. Slovakia made recommendations.

31. The United States of America welcomed Micronesia's achievements in environmental security, as evidenced by the establishment of the national climate change

policy, as a further opportunity to strengthen livelihoods, food security and economic development. The United States was aware of the need to further develop non-discrimination laws regarding women and children, and laws against domestic violence and trafficking in persons. It remained concerned that women and girls continued to face unequal access to, inter alia, health care, educational and vocational training, and employment; it also expressed concern about forced marriage and inadequate protection from gender-based violence. It noted that Micronesia remained without a law on trafficking in persons and had yet to accede to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. It asked about plans to adopt legislation banning trafficking in persons and to accede to and ratify the Protocol. The United States made recommendations.

32. The United Kingdom of Great Britain and Northern Ireland considered it essential that traditional beliefs and practices were not allowed to undermine constitutional and legal guarantees relating to gender equality and the rights of women and children. It welcomed the expressed willingness of the Government of the Federated States of Micronesia to move forward with the ratification of the Optional Protocol to the Convention on the Rights of the Child, stating that it would like to see that achieved within a set time frame. It acknowledged the challenges in addressing the growing impact of climate change and encouraged Micronesia to draw on available international technical assistance and expertise in that area. It asked about Government plans to continue to involve civil society in the process of following up on this review, and requested further information about plans to promote and support gender equality. The United Kingdom made recommendations.

33. Turkey appreciated the independence of the judicial system in the Federated States of Micronesia, supported the efforts to provide health-care services and education to all citizens, and welcomed the fact that the country guaranteed free primary school for all. Turkey also expressed appreciation for Micronesia's awareness about environmental protection and welcomed the measures taken by the Government to that end. Turkey lauded Micronesia's accession to the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child, noting that, since Micronesia's accession to the Convention on the Elimination of All Forms of Discrimination against Women in 2004, noticeable progress had been achieved. Turkey made a recommendation.

34. Noting that the Federated States of Micronesia was a party to the Convention on the Elimination of All Forms of Discrimination against Women, France remained concerned at the persistence of domestic violence against women, as no state had criminalized marital violence. France stated that violence against children continued to be reported and that the Committee on the Rights of the Child had expressed its concerns about, inter alia, the absence of measures to protect children from violent and pornographic content broadcast by some media and existing legislative and financial gaps to combat sexual violence against children. France asked whether the Federated States of Micronesia planned to reinforce the protection of children in its domestic legislation. France made recommendations.

35. New Zealand recognized the efforts of the Federated States of Micronesia in the area of human rights, especially with regard to education. It expressed the view that the rights of women and girls were not fully realized in the country and noted the acknowledgement in the national report of the importance of advocacy campaigns to raise the level of awareness regarding women's rights. New Zealand made recommendations.

36. The delegation thanked Member States for their constructive review and observations, and stated that it was pleased at their very thorough knowledge of the human rights situation in the country. Regarding the issue of accession to core human rights treaties, the delegation stated that the Federated States of Micronesia was endeavouring to

consider the core international convention on human rights for possible ratification and accession, indicating, however, that it faced capacity constraints, as evident in its lack of reporting on the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women. Therefore, the Federated States of Micronesia would continue to seek assistance from donor partners and United Nations implementing agencies. The delegation also indicated that, through its Constitution and existing laws, the country would ensure that fundamental rights associated with conventions that it had not yet ratified were protected.

37. Concerning the issue of the rights of women and children in relation to domestic violence, the delegation stated that the Government was keen to carry out activities to increase awareness and understanding of the issue. A presidential proclamation had designated 25 November 2010 as National Domestic Violence Day in order to raise awareness of domestic and sexual violence. The same initiative had been implemented last year as well. Training courses and services specifically regarding domestic violence were provided at the state level. The Federated States of Micronesia had established the National Police Academy. The work of the Academy was significant to address capacity gaps that were crucial in order to deal with domestic and sexual violence, in particular to protect the rights of women and children. In one state, a Division of Domestic Violence had been created within the police force. The state of Pohnpei implemented a “non-drop” policy with respect to violence against women and children. At the national level as well, a policy on sexual harassment in the workplace was under consideration.

38. As regards the issue of the Convention on the Elimination of All Forms of Discrimination against Women, the Federal States of Micronesia was doing its best to eliminate its reservations to the Convention. Through the universal periodic review, it was able to look at progress it might have made in that regard, and the delegation was pleased to report that in September 2009, the National Congress had adopted Public Law No. 16-14, which provided for paid maternity leave for women. This was related to one of the reservations it had put in place. The Federated States of Micronesia would continue to review its reservations to the Convention in order to make progress on their eventual elimination.

39. The issue of trafficking in persons had also been raised by Member States. As a developing nation, the Federated States of Micronesia faced a set of challenges stemming from globalization and the free movement of people. The national Government had put in place a task force to look at ways forward in addressing the issue. One of the recommendations of the task force that was ready to be submitted to the President’s Cabinet for review was that the Federated States of Micronesia accede to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

40. As for the issue of the age of consent, it varied from state to state. The National Women’s Conference had discussed the need to change the age of consent in each state.

41. The delegation reiterated that the Federated States of Micronesia had made progress as a society. It had begun in the days when men sailed on rafts and canoes and voyaged among stars, and had made progress to become a modern society with various activities focused on human rights. The Government would continue to uphold its responsibility to protect the rights of the country’s citizens.

42. Slovenia welcomed the fact that capital punishment was prohibited in Micronesia and commended the Government for its awareness of the importance of education for human dignity and the enjoyment of fundamental human rights. It also welcomed the legislation on paid maternity leave for women Government employees and urged that it be applied to all employed women in the country. Slovenia asked about the Government’s

plans to ensure the participation of women and minority groups under its Country Programme Action Plan. Slovenia made recommendations.

43. Spain welcomed the fact that the Constitution of the Federated States of Micronesia reflected the principle of human rights in a democratic system and that the death penalty had been abolished under the Constitution. It also welcomed the country's intention to establish an independent national human rights institution and expressed confidence that such an institution would coordinate and harmonize the country's human rights regulations with international standards. Spain made recommendations.

44. Indonesia commended the efforts of the Federated States of Micronesia to strengthen democratic principles, which were crucial in guaranteeing fundamental rights reflected in its Constitution. It encouraged the Government to continue its positive efforts to build up its democratic institutions. Indonesia stated that the judicial guidance clause of the Micronesian Constitution served to remind the courts and the Government of the need to render decisions that were consistent with Micronesian customs and traditions. Indonesia made recommendations.

45. Hungary stated that the Federated States of Micronesia had made remarkable efforts to ensure high standards of universal rights despite the impacts of climate change. It noted the disparities between states in terms of legislation and practices as one of the core problems in linking human rights to the Millennium Development Goals. Hungary expressed concerns regarding the rights of the child and discrimination against women. It noted with satisfaction the ongoing process of the ratification of human rights conventions. Hungary made recommendations.

46. Chile welcomed the progress made by the Federated States of Micronesia in guaranteeing free elementary education for all and in introducing compulsory education at the primary and secondary levels. It expressed the view that climate change was a serious challenge to the country that could not be addressed by the national authorities alone and that the international community should provide technical assistance and financial support. Chile also called for international assistance aimed at the protection of women, owing to the country's capacity constraints. Chile made recommendations.

47. China noted with appreciation the efforts of the Government in promoting and protecting human rights, especially in terms of education and health, as well as its National Climate Change Policy of 2009, aimed at protecting the right of its citizens to a sustainable environment. China stated that, owing to many constraints, the Government still had difficulties and challenges ahead, and called for understanding and support from the international community. China made a recommendation.

48. Argentina highlighted the importance of the 2009 legislation on paid maternity leave for public servants, and urged that the enjoyment of that right be extended to other fields of employment. It asked for further information about measures taken to combat gender-based violence. Argentina made recommendations.

49. Germany asked whether there were any plans, in the near future, to accede to 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 Convention against Torture and the 1993 Hague Convention on Protection of Children and Cooperation in respect of Inter-country Adoption. Germany referred to the situation of women and girls procured for sex work against their will, and to the fact that, in the national legislation, there were apparently no laws on trafficking and sex tourism. In that connection, Germany asked whether there were plans to improve the protection of women and children against trafficking and sex tourism. Germany made a recommendation.

50. Latvia noted that, although no requests to visit the country had been made by special procedures mandate holders, the Federated States of Micronesia had not extended a standing invitation to all special procedures of the Human Rights Council. Latvia made a recommendation.

51. Thailand stated that, in the light of the current review of the Human Rights Council, the Federated States of Micronesia represented another opportunity for the Council to seriously reflect on the promotion of capacity-building, technical cooperation and assistance as a way to enhance the engagement of all States in the process of the universal periodic review. Thailand, for its part, stood ready to explore possibility of cooperating with Micronesia in areas of mutual interest. Thailand made recommendations.

52. Ecuador noted the progress made by the Federated States of Micronesia in the areas of education and health care. Ecuador made recommendations.

53. As a small island developing State, the country stated that it faced constraints and difficulties, not only in terms of putting the appropriate legislation in place, but also in gathering, processing, evaluating and analysing data. With respect to international assistance, it acknowledged the contributions of those partners who had made efforts to assist. It would continue to seek the assistance of regional and international organizations, including the United Nations Joint Presence Office, the United Nations Children's Fund (UNICEF), the United Nations Development Fund for Women and the United Nations Development Programme (UNDP). In that regard, the Federated States of Micronesia was very fortunate to see the establishment of the United Nations Joint Presence Office, led by the United Nations Population Fund and assisted by UNDP and UNICEF. It saw this development as a positive way forward.

54. Regarding the issue of an independent national human rights institution, the Federated States of Micronesia did not have such an institution in place; however, it was appreciative of the universal periodic review process, because the process had allowed it to examine its human rights situation. One of the recommendations that it would look at was the possibility of establishing a national human rights institution, although it would be mindful of its limited capacity to do so.

55. With respect to the Country Programme Action Plan with United Nations agencies and the limited participation of women and minority groups, the Federated States of Micronesia pointed out that the Plan had three major strategic outcomes: (a) poverty reduction and the Millennium Development Goals; (b) good governance and human rights; and (c) environment and sustainable development. In the Plan, the Federated States of Micronesia identified these core issues as priorities in moving forward with the relevant United Nations implementing agencies. They constituted core human rights issues.

56. The delegation further stated that the strategic development plan of the Federated States of Micronesia identified gender as one of priorities. In the matrix for the plan, the issue of allocating reserved seats for women had been identified. There was a bill pending before Congress that examined the possibility of allocating reserved seats for women in the National Congress. This had not yet materialized, but the Federated States of Micronesia saw it as a significant temporary special measure to address the issue of women in decision-making positions in modern society.

57. Regarding the issuance of legislation concerning gender-based violence, the Federated States of Micronesia acknowledged its shortcomings as a small developing island State and indicated that it would continue to seek assistance from donor partners to address such violence.

58. In concluding, the Federated States of Micronesia once again thanked all Member States for their constructive input and discussions. It stated that this had been a valuable

exercise and that its Government, and its people most especially, would truly benefit from it.

59. The Federated States of Micronesia pointed out that human rights were deeply rooted and fundamental to its cultural values and traditions. The Federated States of Micronesia had made progress on many of the issues relating to human rights. In areas in which progress was lacking, it would take appropriate steps. It would review its present international commitments under various human rights conventions and take appropriate action where necessary. It would strive to accede to the core conventions on human rights.

60. Finally, the Federated States of Micronesia wished to draw the attention of the members of the Working Group to the last part of its national report. It acknowledged its limitations and capacity constraints in carrying out these various activities, which could increase stress on small economies, including those of small island developing States such as the Federated States of Micronesia. The adverse impacts of climate change affecting its islands would affect its ability to continue to ensure the enjoyment of the human rights of its people. In that regard, it would seek the support of the international community to ensure that the human dignity and rights of its people would be protected.

II. Conclusions and/or recommendations

61. **The following recommendations will be examined by the Federated States of Micronesia, which will provide responses in due course, but no later than the 16th session of the Human Rights Council, in March 2011. The responses of the Federated States of Micronesia to these recommendations will be included in the outcome report adopted by the Council at its 16th session:**

61.1 **Envisage the gradual ratification of other main international human rights instruments, first of all the two International Covenants, on Civil and Political Rights and on Economic, Social and Cultural Rights, and the International Convention on the Elimination of All Forms of Racial Discrimination (Algeria);**

61.2 **Consider ratifying the remaining United Nations core treaties, in particular the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, and conclude the ratification of the two Optional Protocols to the Convention on the Rights of the Child (Brazil);**

61.3 **Take the necessary steps to pursue ratification of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (Canada);**

61.4 **Strengthen its legal arsenal through accession to international conventions in the field of the promotion and protection of human rights to which it is not yet a party, especially the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (France);**

61.5 **Ratify 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 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Optional Protocol thereto, the Convention on the Rights of Persons with Disabilities, the International Convention for the Protection of All Persons from Enforced Disappearance, the**

Optional Protocol to the Convention on the Elimination of All Forms Discrimination against Women, and the Optional Protocols to the Convention on the Rights of the Child (Spain);

61.6 Consider ratifying the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, which are key instruments for the promotion and protection of a number of other fundamental rights (Indonesia);

61.7 Consider ratifying international human rights treaties that are still pending, in accordance with the commitment of the national authorities as set out in paragraph 114 of the national report (Chile);

61.8 Analyse the possibility of ratifying the main human rights instruments, in particular the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and the International Convention for the Protection of All Persons from Enforced Disappearance (Argentina);

61.9 Consider acceding to covenants on human rights such as the Convention on the Rights of the Child, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and the International Convention on the Elimination of All Forms of Racial Discrimination (Germany);

61.10 Ratify the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (Canada);

61.11 Fully accede to the principles of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (Palermo Protocol), with a view to providing effective protection for victims of trafficking and punishing the perpetrators of this crime (Mexico);

61.12 Accede to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and implement the Protocol in its domestic law, with penalties commensurate with this serious crime (New Zealand);

61.13 Ratify the International Convention on the Protection of the Rights of All Migrant Workers and the Members of Their Families, the 1951 Convention relating to the Status of Refugees and the 1967 Protocol thereto, among other conventions that it has not yet ratified (Ecuador);

61.14 Initiate a structured public debate, with the participation of non-governmental organizations, to accelerate its accession to all core international treaties (Hungary);

61.15 Consider seeking membership in the International Labour Organization with a view to ratifying the Organization's fundamental Conventions (Brazil);

61.16 Continue working with State Governments to remove the reservations to the Convention on the Elimination of All Forms of Discrimination against Women (Australia);

- 61.17 **Withdraw the reservations to the Convention on the Elimination of All Forms of Discrimination against Women (Brazil/Spain);**
- 61.18 **Remove the outstanding reservations on articles 2 (f), 5, 11 (1) (d), 11 (2) and 16 of the Convention on the Elimination of All Forms of Discrimination against Women as a matter of urgency (United Kingdom of Great Britain and Northern Ireland);**
- 61.19 **Withdraw its reservations to the Convention on the Elimination of All Forms of Discrimination against Women and adopt constitutional and legal reforms in conformity with the principles of the Convention, with a view to eliminating all forms of discrimination against women and girl children, which remain in education, employment, the family and political life (Ecuador);**
- 61.20 **Adopt legal and other types of measures for the full implementation of the principles contained in the Convention on the Elimination of All Forms of Discrimination against Women, and eliminate Micronesia's reservations to the Convention, in accordance with the recommendations made by the Committee on the Elimination of Discrimination against Women (Mexico);**
- 61.21 **Ensure full human rights legal protection throughout Micronesia (Australia);**
- 61.22 **Conduct a comprehensive review of existing legislation, and harmonize law and customary practices in all four states with international standards (Hungary);**
- 61.23 **Eliminate all laws and practices that discriminate against women, and promote equal treatment of girls and boys, including through awareness programmes (Canada);**
- 61.24 **Address any customary practices that are inconsistent with its obligations under international law, and bring its national law relating to women and children into line with its obligations under international human rights law (United Kingdom of Great Britain and Northern Ireland);**
- 61.25 **Fully implement legislation related to the rights of women, and explicitly ban marital violence (France);**
- 61.26 **Pass laws at the national and state levels to address domestic violence and other forms of violence against women (Australia);**
- 61.27 **Establish specific laws against domestic violence and the sexual abuse of women in all states in the Federation (New Zealand);**
- 61.28 **Adopt laws against domestic violence and against the sexual abuse of women and children (Slovenia);**
- 61.29 **Pass a comprehensive anti-trafficking law applicable in the Federated States of Micronesia, and promptly ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the Convention against Transnational Organized Crime (United States);**
- 61.30 **Strengthen the legislation in the area of marriage in accordance with the Convention on the Elimination of All Forms of Discrimination against Women (Slovakia);**
- 61.31 **Implement the outstanding legislative and administrative reforms required under the Convention on the Rights of the Child, in particular all the**

necessary measures to prevent and address violence against children and child abuse (United Kingdom of Great Britain and Northern Ireland);

61.32 Adopt legislation against child exploitation and sexual abuse, along with measures to disseminate information about the legislation to the population (Canada);

61.33 Continue to develop legislation in order to adapt it to the Convention on the Rights of the Child, in particular in areas such as the care of children who are without protection, protection against abuse and sexual exploitation, birth registration, the prohibition of child labour, the minimum age for criminal responsibility and the administration of justice for minors (Spain);

61.34 Undertake a legal reform on the issues of the neglect, abuse and sexual exploitation of children, the lack of conformity of the birth registration system, the absence of legislation on child labour, and the non-existence of a clear definition of the minimum age for criminal responsibility (Hungary);

61.35 Adopt labour laws and social security norms in accordance with international protection standards, criminalize sexual abuse, and adequately regulate child labour (Ecuador);

61.36 Adopt laws banning child labour and define the minimum age for criminal responsibility, in conformity with the provisions of the international norms related to human rights (France);

61.37 Define the minimum age for criminal responsibility in compliance with international standards (Slovakia);

61.38 Set a minimum age for criminal responsibility, as well as special procedures for minor offenders (Ecuador);

61.39 Adopt measures conducive to the creation of a national human rights institution in accordance with the Paris Principles (Mexico);

61.40 Establish a national human rights institution in cooperation with and with the assistance of the international community (Indonesia);

61.41 Study the possibility of establishing an independent national human rights institution to promote human rights (Argentina);

61.42 Implement the national plan of action to promote gender equality and strategies to address gender-based violence (Turkey);

61.43 Develop advocacy campaigns to raise the level of awareness of the rights of women (New Zealand);

61.44 Continue to apply plans and strategies for the socio-economic development of the country (Cuba);

61.45 Ensure that its national programmes in the field of education include human rights education and training (Morocco);

61.46 Be more regular in submitting reports to treaty bodies and call, if necessary, for technical assistance in this field (France);

61.47 Report regularly to the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child (Slovenia);

61.48 Consider issuing a standing invitation to the Special Rapporteurs (Brazil);

- 61.49 Consider extending a standing invitation to all special procedures of the Human Rights Council (Latvia);
- 61.50 Take measures to promote the participation of women in the decision-making process (Algeria);
- 61.51 Increase efforts to reduce poverty and address existing gender gaps, including political participation, to combat violence against women and to promote equal remuneration in the workplace (Brazil);
- 61.52 Include sexual orientation and gender identity as prohibited grounds for discrimination in legislation and equality initiatives (Canada);
- 61.53 Include women's rights in education curricula (Slovenia);
- 61.54 Develop a comprehensive national policy, consistent with provisions of the Convention on the Elimination of All Forms of Discrimination against Women, to guarantee effective gender equality and to combat gender violence, while providing special follow-up to cases of gender violence and studying the reasons why there are so few complaints to the authorities (Spain);
- 61.55 Continue implementing measures in its ongoing efforts to eliminate discrimination and all forms of violence against women and children, and, in particular, undertake appropriate measures to prevent and combat ill treatment, sexual abuse and violence against children, as well as rehabilitate child victims (Thailand);
- 61.56 Ensure that there is no difference between the acceptable age of marriage for girls and boys in all its territories and that young girls are not subjected to early marriage (New Zealand);
- 61.57 Establish effective measures to prevent mistreatment in detention centres and prisons, for example, through human rights training programmes for members of the police (Spain);
- 61.58 Take measures to reduce the phenomenon of violence against women (Algeria);
- 61.59 Take steps to provide adequate protection against sexual and gender-based violence, while ensuring that assistance is available to victims for their physical and mental rehabilitation (Canada);
- 61.60 Make efforts to increase awareness about violence against women and to work proactively to use both judicial and law enforcement tools to reduce such incidences (United States);
- 61.61 Initiate a comprehensive study on abuse, ill treatment and domestic violence against women and girls, the results of which can be used as the basis for social programmes to prevent these serious problems (Hungary);
- 61.62 Take action to reduce domestic violence and to criminalize it (Chile);
- 61.63 Criminalize trafficking in persons, and guarantee the protection and rehabilitation of the victims of trafficking (Ecuador);
- 61.64 Take all appropriate measures, including the revision of legislation, the initiation of a comprehensive study on child abuse, ill treatment and domestic violence, to prevent and combat ill treatment within, inter alia, the family and institutions, as well as the sexual abuse of children (Slovakia);

61.65 Improve services for victims of family violence, including the provision of separate homes for children away from abusive family members, and shelters for women (New Zealand);

61.66 Intensify measures to prevent and combat mistreatment and sexual abuse against boys and girls in accordance with recommendations by the Committee on the Rights of the Child (Chile);

61.67 Continue to apply programmes and measures to ensure the enjoyment of the right to education and the right to health (Cuba);

61.68 Develop and implement awareness programmes about sexual and reproductive health targeting youth (Canada);

61.69 Continue to develop its economy in accordance with its national conditions, and continue to reduce poverty and empower women as key areas in its human rights protection efforts (China);

61.70 Continue its efforts regarding access to health, environmental protection and the right to education, calling for technical and financial assistance to accompany the Government's efforts in these fields (Morocco);

61.71 Resort to technical assistance provided by international organizations for the effective implementation of international human rights standards set out in the main international instruments to which it is a party (Mexico);

61.72 Seek technical assistance from the relevant United Nations bodies and involve civil society stakeholders, including human rights non-governmental organizations, in the follow-up to the universal periodic review in addressing the concerns highlighted (United Kingdom of Great Britain and Northern Ireland);

61.73 Seek further cooperation with the international community and relevant United Nations agencies to enhance its technical capacity-building in mitigating the impact of climate change on its efforts to promote and protect human rights within its country (Thailand).

62. All conclusions and/or recommendations contained in the present report reflect the positions of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.

III. Voluntary pledges and commitments

63. The Federated States of Micronesia made the following voluntary pledges:

- (a) Ratify and accede to the two Protocols to the Convention on the Rights of the Child;
- (b) Sign and ratify the Convention on the Rights of Persons with Disabilities;
- (c) Ratify and accede to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime;
- (d) Ratify and accede to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Annex

Composition of the delegation

The delegation of the Federated States of Micronesia was headed by the Deputy Assistant Secretary for Multilateral Affairs, Mr. Jackson Soram, and was composed of the following other member:

- Ms. Jane Elymore, Gender Development Officer/Acting Assistant Secretary for Social Affairs, Department of Health and Social Affairs.
