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Commissioner for Human Rights in accordance with  
paragraph 15 (b) of the annex to Human Rights Council  
resolution 5/1**

**Palau**

The present report is a compilation of the information contained in the reports of treaty bodies, special procedures, including observations and comments by the State concerned, and other relevant official United Nations documents. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), other than those contained in public reports issued by OHCHR. It follows the structure of the general guidelines adopted by the Human Rights Council. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the four-year periodicity of the first cycle of the review. In the absence of recent information, the latest available reports and documents have been taken into consideration, unless they are outdated. Since this report only compiles information contained in official United Nations documents, lack of information or focus on specific issues may be due to non-ratification of a treaty and/or to a low level of interaction or cooperation with international human rights mechanisms.

## I. Background and framework

### A. Scope of international obligations<sup>1</sup>

<i>Universal human rights treaties<sup>2</sup></i>	<i>Date of ratification, accession or succession</i>	<i>Declarations/reservations</i>	<i>Recognition of specific competences of treaty bodies</i>
CRC	4 Aug. 1995	None	–
<i>Treaties to which Palau is not a party: ICERD, ICESCR, OP-ICESCR<sup>3</sup>, ICCPR, ICCPR-OP 1, ICCPR-OP 2, CEDAW, OP-CEDAW, CAT, OP-CAT, OP-CRC-AC, OP-CRC-SC, ICRMW, CRPD, OP-CRPD and CED.</i>			
<i>Other main relevant international instruments</i>		<i>Ratification, accession or succession</i>	
Convention on the Prevention and Punishment of the Crime of Genocide		No	
Rome Statute of the International Criminal Court		No	
Palermo Protocol <sup>4</sup>		No	
Refugees and stateless persons <sup>5</sup>		No	
Geneva Conventions of 12 August 1949 and Additional Protocols thereto <sup>6</sup>		Yes, except AP III	
ILO fundamental conventions <sup>7</sup>		No	
UNESCO Convention against Discrimination in Education		No	

1. In 2001, the Committee on the Rights of the Child (CRC) regretted that Palau had not acceded to any of the other main international human rights instruments, including the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.<sup>8</sup> It encouraged Palau to consider acceding to such international instruments, including the Hague Convention on the Protection of Children and Cooperation in respect of Intercountry Adoption.<sup>9</sup>

2. CRC also encouraged Palau to consider ratifying ILO Convention No. 138 (1973) concerning Minimum Age for Admission to Employment and Convention No. 182 (1999) concerning the Prohibition and Immediate Action for Elimination of the Worst Forms of Child Labour, the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and the Optional Protocol on the sale of children, child prostitution and child pornography.<sup>10</sup>

3. In 2010, the Office of the United Nations High Commissioner for Refugees (UNHCR) recommended that Palau 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.<sup>11</sup>

4. The United Nations Children's Fund (UNICEF) noted that in early 2008, a resolution to ratify CEDAW was approved by the Senate but its approval by the House of Delegates was still pending.<sup>12</sup>

## **B. Constitutional and legislative framework**

5. CRC expressed concern regarding the insufficient efforts made to enact relevant articles of the Convention into the Palau Legal Code. It recommended that Palau take all appropriate and effective measures to ensure that its laws conformed fully to the principles and provisions of the Convention. The Committee also encouraged Palau to consider the possibility of enacting a comprehensive code for children.<sup>13</sup>

6. CRC noted that the National Youth Policy Task Force had proposed a narrowing of the definition of youth from 15–45 years to 15–34 years. However, the Committee was concerned that the new proposal did not take into account the definition of the child (persons below the age of 18 years) provided in the Convention and recommended that the proposal be reconsidered.<sup>14</sup>

7. CRC expressed concern regarding the low legal age for criminal responsibility (10 years) and recommended that Palau raise it.<sup>15</sup>

8. CRC recommended that Palau take all appropriate measures to introduce legal minimum ages for the sexual consent of boys and the employment of children to guarantee greater protection for children below the age of 18 years.<sup>16</sup>

9. CRC recommended that Palau review its legislation concerning abortion, with a view to guaranteeing the best interests of child victims of rape and incest.<sup>17</sup>

## **C. Institutional and human rights infrastructure**

10. As of December 2010, Palau does not have a national human rights institution accredited by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights.<sup>18</sup>

11. CRC was concerned that the Office of Child and Family Support, identified in the National Plan of Action for Children as the focal point for children and family support activities and for coordinating the implementation of the Convention, had not been established. It recommended that Palau take appropriate measures to establish such Office and to ensure the allocation of adequate financial, human and technical resources.<sup>19</sup>

12. CRC encouraged Palau to reinforce its efforts to establish an ombudsperson for children to deal with complaints of violations of child rights and to provide remedies for such violations. The Committee noted the intention to establish such an ombudsperson within the Office for Child and Family Support and suggested that Palau reconsider that proposal to ensure that the agency with responsibility for coordinating implementation of the Convention was not also responsible for monitoring implementation. It also encouraged Palau to ensure that the ombudsperson was allocated adequate resources and was accessible to children. CRC suggested that Palau introduce an awareness-raising campaign to facilitate the effective use by children of the ombudsperson for children.<sup>20</sup>

13. CRC noted the establishment in 1995 of the National Committee on Population and Children (CoPopChi), the inter-agency committee mandated to monitor implementation of the Convention.<sup>21</sup> In 2008, UNICEF noted that CoPopChi had disintegrated and a replacement body had not emerged to continue the work of monitoring and advocating for children.<sup>22</sup>

## D. Policy measures

14. CRC welcomed the National Plan of Action for Children, which identified priority areas consistent with the Convention and made recommendations with regard to agencies and organizations best suited to implement the Plan. The Committee encouraged Palau to take all appropriate measures to implement such National Plan.<sup>23</sup>

15. In 2008, UNICEF noted that there had been significant progress in implementing the National Plan of Action for children in the areas of health, nutrition and education but less progress in achieving recommended legal reforms, while ongoing social change had continued to undermine traditional values and institutions beneficial to children.<sup>24</sup>

16. CRC welcomed the establishment, within the Ministry of Health, of the Victims of Crime Assistance programme to provide assistance to victims of child abuse and domestic violence. The Committee was concerned about the insufficient financial and human resources allocated to the initiative and the inadequate programmes established to prevent and combat all forms of abuse against children and to facilitate their rehabilitation.<sup>25</sup>

17. CRC noted with appreciation the efforts of Palau to disseminate the principles and provisions of the Convention. In particular, the Committee noted that Palau translated the Convention into Palauan and distributed it at public meetings, in schools and among parents.<sup>26</sup>

18. CRC recommended that greater effort be made to ensure that the provisions of the Convention were widely known and understood by adults and children, particularly at the community level. In that regard, the Committee recommended the reinforcement of adequate and systematic training and/or sensitization of State officials; parliamentarians; and professional groups working with and for children, as well as traditional community leaders. Further, it recommended that Palau continue to promote the Convention through, inter alia, the use of local languages and traditional methods of communication.<sup>27</sup>

19. In 2001, the Secretary-General noted that Palau had established that year the Office of Environmental Response and Coordination to enhance coordination between governmental and non-governmental agencies to address environmental issues and to fulfil the obligations of Palau under the United Nations conventions on climate change, biological diversity and desertification.<sup>28</sup>

## II. Promotion and protection of human rights on the ground

### A. Cooperation with human rights mechanisms

#### 1. Cooperation with treaty bodies

<i>Treaty body<sup>29</sup></i>	<i>Latest report submitted and considered</i>	<i>Latest concluding observations</i>	<i>Follow-up response</i>	<i>Reporting status</i>
CRC	1998	January 2001	–	Second report overdue since 2002

## 2. Cooperation with special procedures

<i>Standing invitation issued</i>	No
<i>Latest visits or mission reports</i>	
<i>Visits agreed upon in principle</i>	
<i>Visits requested and not yet agreed upon</i>	
<i>Facilitation/cooperation during missions</i>	
<i>Follow-up to visits</i>	
<i>Responses to letters of allegations and urgent appeals</i>	During the period under review no communications were sent.
<i>Responses to questionnaires on thematic issues</i>	Palau did not respond to any of the 26 questionnaires sent by special procedures mandate holders. <sup>30</sup>

## 3. Cooperation with the Office of the High Commissioner for Human Rights

20. The Regional Office for the Pacific, located in Suva, Fiji, covers the Pacific Island Forum countries, including Palau.<sup>31</sup>

21. In 2008, OHCHR provided Palau with advice and technical assistance on draft legislation concerning a national human right institution compliant with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles).<sup>32</sup>

## B. Implementation of international human rights obligations

### 1. Equality and non-discrimination

22. CRC noted with concern that the principle of non-discrimination was not adequately implemented with respect to vulnerable groups of children, especially children of non-Palauan parentage, including children of immigrant families and children adopted through inter-country adoptions; children living in the outer islands; and children living and/or working on the streets. The Committee was particularly concerned about their limited access to adequate health, education and other social services. It recommended that Palau increase its efforts to ensure the implementation of laws, policies and programmes guaranteeing the principle of non-discrimination, particularly as it relates to vulnerable children.<sup>33</sup>

23. CRC expressed concern that children in inter-country adoptions were generally not eligible for a Palauan passport and might not own or inherit land or benefit from health, education and social service subsidies. It recommended that Palau take all appropriate measures, including those of a legal nature, to ensure that non-Palauan children are afforded equal and adequate access to health, education and social services.<sup>34</sup>

24. In 2008, UNICEF noted that under the Palau Constitution and law, after the age of 18, “children without Palauan blood” did not have a legal right to reside and work in Palau unless they registered with the Labour Office as a foreign worker.<sup>35</sup>

25. UNICEF noted that despite the constitutional protection of women, two laws discriminated against married women. With respect to rape, the law did not extend to married women the same level of protection against coerced sex as it extended to unmarried

women. With respect to inheritance, the law discriminated against a wife whose rights to inherit property acquired during a marriage were not recognized. It also discriminated against female children whose rights to inherit were recognized only if there were no surviving male children.<sup>36</sup>

26. CRC expressed concern at the disparity in the legal minimum age for marriage of girls (16 years) and boys (18 years) and recommended that Palau take all appropriate measures to increase the legal minimum age of marriage for girls to that of boys.<sup>37</sup>

27. In 2009, the United Nations Development Programme (UNDP) indicated that 36 per cent of legislators, senior officials and managers were women and 44 per cent of professional and technical workers were female, but there were no women in ministerial positions.<sup>38</sup>

28. CRC noted that Palau had enacted legislation to protect children with disabilities and had established an Inter-agency Task Force on Children with Special Needs. The Committee was concerned about the insufficient efforts and the reluctance of teachers to facilitate the inclusion and acceptance of children with disabilities into the regular school system, despite requirements under law. It recommended that Palau strengthen its efforts to develop early identification programmes to prevent disabilities; establish special education programmes for children with disabilities; and implement the law that provided for their inclusion within the school system.<sup>39</sup>

29. CRC encouraged Palau to reinforce its efforts to raise awareness and sensitize the public about the rights and special needs of children with disabilities, including children with mental health concerns. It encouraged Palau to consider including mental disabilities within the definition of disabilities; to ensure that such children are provided with adequate care, services and rehabilitation to children with such concerns; and to allot adequate human and financial resources.<sup>40</sup>

30. UNICEF noted that there were fewer services available to assist youth with disabilities to transition to adulthood and almost no specialized services for adults with disabilities outside of a small government stipend for those totally disabled.<sup>41</sup>

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

31. In December 2007, Palau voted in favour of the adoption of General Assembly resolution 62/149 on a moratorium on the death penalty.<sup>42</sup>

32. CRC was concerned about the increasing incidence of sexual abuse of children, including within the family, as well as the continued lack of awareness about domestic violence, ill-treatment, abuse (sexual, physical and psychological) and neglect of children. The Committee recommended that Palau reinforce its efforts to prevent and combat such abuses and take appropriate measures to guarantee the physical and psychological recovery and social reintegration of child victims.<sup>43</sup>

33. CRC was concerned about the lack of authority under law to remove a child from harmful situations within the home in order to protect him or her. It recommended that Palau review its legislation to guarantee greater protection for children.<sup>44</sup>

34. UNICEF noted that women were frequently victims of domestic violence.<sup>45</sup>

35. CRC was concerned that corporal punishment was widely accepted in Palau and that domestic legislation generally did not prohibit and eliminate its use in homes and schools. It recommended that Palau take all appropriate measures, including of a legislative nature, to prohibit and eliminate all forms of corporal punishment. The Committee suggested that Palau conduct awareness-raising and education campaigns to change public attitudes.<sup>46</sup>

36. CRC expressed concern at the absence of adequate labour laws to protect children from economic exploitation. In the light of the increasing number of school drop-outs, the lack of a minimum age for employment and the increasing number of children living and/or working on the streets, the Committee was concerned about the lack of information and adequate data on the situation of child labour and economic exploitation in Palau. It recommended that Palau enact legislation to protect children from economic exploitation and introduce appropriate monitoring mechanisms to ensure the enforcement of such laws, including in the informal sector. It recommended that Palau undertake a comprehensive study to assess the situation with regard to child labour.<sup>47</sup>

37. In 2008, UNICEF and the Economic and Social Commission for Asia and the Pacific reported that human trafficking for the purpose of the sex trade was occurring in Palau. The numbers, while small were still significant considering the size and the population of the country.<sup>48</sup> There was no legislation that specifically addressed child sexual exploitation through videos, movies, photos and electronic images.<sup>49</sup>

38. CRC recommended that Palau take appropriate measures to ensure the passage of adequate legal protection of children, including boys, against commercial sexual exploitation and pornography and to ensure the non-stigmatization and non-criminalization of such children. It expressed concern at the fact that there were insufficient programmes for the physical and psychological recovery and social reintegration of child victims of such abuse. The Committee recommended that Palau undertake studies with a view to implementing appropriate policies and measures in that regard.<sup>50</sup>

39. CRC expressed concern at the increasing number of children living and/or working on the streets and the lack of policies, programmes and services to provide them with greater protection and care. The Committee recommended that Palau undertake a study to understand the scope and nature of such increasing phenomenon. It also recommended that Palau establish mechanisms to ensure that such children are provided with nutrition, clothing, housing, health and rehabilitation services, education, and vocational and life-skills training.<sup>51</sup> The Committee further recommended that Palau implement foster care and other alternative care programmes to guarantee greater protection and care for children deprived of a family environment.<sup>52</sup>

### **3. Administration of justice and the rule of law**

40. CRC noted that under customary law, family matters usually reflected “the best interests of all concerned parties” as opposed to “the principle of the best interests of the child”. It recommended that Palau take appropriate measures to ensure that the general principle of the best interests of the child was appropriately integrated in all legal provisions and customary law; in judicial and administrative decisions; and in policies, projects, programmes and services which had an impact on children.<sup>53</sup>

41. CRC recommended that Palau take all effective measures to implement a juvenile justice system in conformity with the Convention (arts. 37, 40 and 39) and with other United Nations standards in this field, such as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines) and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty. The Committee also recommended that Palau establish social services to support judges and to guarantee the rights of children (especially the right to a fair hearing) in traditional disciplinary measures.<sup>54</sup>

42. CRC noted that the views of children aged 12 years and older were heard in court on matters relating to their own adoption and in criminal cases. In other matters that was at the discretion of the judge. While noting that family law matters were generally dealt with

under customary law, the Committee expressed its concern that traditional culture, values and attitudes might not always provide for the expression and consideration of the views of children. It recommended that Palau encourage respect for the views of the child in the family, communities, schools, and administrative and judicial systems.<sup>55</sup>

43. UNICEF noted that most adjudicated cases of child abuse and neglect were serious cases for which penalties under the current law were weak. The lack of a community consensus on what constituted abuse and neglect had started to create problems in determining whether cases should be defined and judged under Palauan tradition or under western standards. UNICEF also noted that the system of protecting children (and women) victims was weak.<sup>56</sup>

44. CRC recommended that Palau take appropriate measures to ensure that cases of domestic violence, ill-treatment and sexual abuse of children were properly investigated in a child-friendly judicial procedure and that sanctions were applied to perpetrators, with due regard given to protecting the right to privacy of the child.<sup>57</sup>

45. UNICEF noted that Palau had no statute that addressed domestic violence and that remedial action had yet to be taken to enact such a law.<sup>58</sup>

#### **4. Right to family life**

46. CRC noted with concern the breakdown of the traditional extended family structure and the increasing number of female-headed households. It also expressed concern that despite the changing nature of the traditional family support system, Palau had not instituted a foster care programme, other alternative care facilities and adequate early child-care services. The Committee further expressed concern at the lack of policies, programmes and services to strengthen families and recommended strengthening families as social units in cooperation and coordination with civil society.<sup>59</sup>

47. CRC expressed concern at the inadequate legislation, policies and institutions to regulate inter-country adoptions and to protect children rights in that regard. The law regarding inter-country adoptions did not allow the adopting parents to transfer their nationality to non-Palauan adopted children. The Committee recommended that Palau establish proper monitoring procedures with respect to domestic and inter-country adoptions and introduce adequate measures to monitor the practice of traditional informal adoptions with the view to preventing abuse and protecting the best interests of the child.<sup>60</sup>

#### **5. Right to participate in public and political life**

48. Palau recognized the right of women to vote in 1979. In 2009, UNDP noted that only 7 per cent of the seats in Parliament were held by women, there were no women in ministerial positions and no woman had been the Presiding Officer of Parliament or of one of its houses.<sup>61</sup>

49. CRC welcomed the positive reaction of Palau to the proposal to consider the establishment of a children's parliament and encouraged the State to establish such a parliament or some other framework for the participation of children in society.<sup>62</sup>

#### **6. Right to work and to just and favourable conditions of work**

50. UNICEF noted that in the private sector in Palau, working women were not entitled to maternity leave. Some cases of women, especially "guest" workers, being dismissed on account of pregnancy had been reported. Legislation was needed to provide maternity leave, protect women from discrimination in the workplace as a result of pregnancy, and facilitate a flexible work schedule to support breastfeeding.<sup>63</sup>



## 7. Right to social security and to an adequate standard of living

51. CRC noted with concern that there was no social welfare system in Palau and that since independence (1994) budgetary allocations for education and social services had been gradually reduced. The Committee recommended that Palau establish a social welfare system to protect vulnerable children. It also encouraged the prioritization of budgetary allocations to ensure implementation of the economic, social and cultural rights of children to the maximum extent of available resources, paying particular attention not only to education and health, but also to social services, especially in the outer islands and among non-Palauan children.<sup>64</sup>

52. In 2009, UNDP noted that the public health expenditure in Palau was 16.4 per cent of the total government expenditure.<sup>65</sup> According to UNICEF, outside of the health and education sectors, Palau had a limited number of other social sector programmes including those managed by the Ministry of Justice (juvenile justice prevention activities) and the Ministry of Community and Cultural Affairs (women, youth and senior citizen programmes).<sup>66</sup>

53. CRC recommended that Palau undertake a needs-assessment study of female-headed households with a view to ensuring adequate availability and accessibility of welfare programmes, alternative care facilities and early child-care services.<sup>67</sup>

54. CRC recommended that Palau reinforce its efforts to promote proper breastfeeding practices, especially among working mothers and in the work environment. It recommended that Palau take appropriate measures to promote and encourage healthy nutritional practices, in order to prevent and address overweight and obesity among children.<sup>68</sup>

55. CRC recommended that Palau increase its efforts to promote adolescent health policies and services and to strengthen reproductive health education, including the promotion of male acceptance of the use of contraceptives. It suggested that Palau undertake a study to understand the scope of adolescent mental health concerns. The Committee also recommended that the State undertake measures to increase the number of social workers and psychologists, and to develop accessible youth-friendly care, counselling and rehabilitation facilities for adolescents.<sup>69</sup>

56. CRC recommended that Palau take appropriate measures to protect children from the illicit use of alcohol, narcotic drugs and psychotropic substances and to prevent the use of children in the illicit production and trafficking of such substances. It encouraged Palau to strengthen its efforts to implement rehabilitation programmes dealing with child victims of alcohol, drug and substance abuse.<sup>70</sup>

57. CRC recommended that Palau reinforce its efforts to improve environmental health, particularly as regards solid waste management.<sup>71</sup>

## 8. Right to education

58. In 2001, the Special Rapporteur on the right to education pointed out that the Palauan Constitution (1980) guaranteed free and compulsory education for all.<sup>72</sup>

59. CRC welcomed the legal amendment (1997–1998) that provided for compulsory education for all children between the ages of 5 and 17 years and noted the Master Plan for Education 2000. However, it recommended that Palau review that Plan with a view to ensuring full conformity with the Convention (art. 29, para.1, and others).<sup>73</sup>

60. According to UNDP, in 2006 the combined gross enrolment ratio in education in Palau was 96.9 per cent (91.2 per cent female and 82.4 per cent male). In 2006 the adult

literacy rate (those aged 15 and above) was 91.9 per cent (90.5 per cent female and 93.3 per cent male).<sup>74</sup>

61. CRC was concerned about the inadequate performance of students and the continually high drop-out rates, particularly at the secondary school level. It recommended that Palau implement additional measures to encourage children, especially boys, to stay in school, particularly during the period of compulsory education. In this connection, it recommended that Palau undertake a study on school dropout and its linkages with the relevance of educational material and teaching methods.<sup>75</sup>

62. CRC expressed concern regarding the insufficient support to teachers in smaller schools in the rural areas and outer islands, and the situation of overcrowding in the larger schools in the urban centres.<sup>76</sup>

63. CRC recommended that Palau introduce a physical education programme into the school curriculum and reinforce its efforts to establish clear policy and practice regarding the use of Palauan as a parallel language in the school curriculum.<sup>77</sup>

#### **9. Migrants, refugees and asylum-seekers**

64. UNHCR noted that asylum-seekers, refugees, stateless persons and internally displaced persons were not prominent concerns in Palau.<sup>78</sup>

65. UNHCR commended the willingness of Palau to accept 11 asylum-seekers in 2009 and to allow their processing in its territory until their resettlement in 2010, despite not being a signatory to the Convention relating to the Status of Refugees.<sup>79</sup>

#### **10. Right to development**

66. UNICEF noted that climate change and the accompanying sea level rise constituted the greatest sources of vulnerability in Palau. Climate change had the potential to increase poverty.<sup>80</sup>

### **III. Achievements, best practices, challenges and constraints**

67. CRC noted the challenges faced by Palau in implementing adequate programmes and services for children living in the outer islands. It noted the adverse effects that the limited availability of skilled human resources had on implementation of the Convention. It noted that a significant portion of the State's financing was derived from transfer payments from the United States of America under the Compact of Free Association, the phasing out of which in 2009 might have an impact on the allocation of budgetary resources. The implementation of the Convention was hindered by the fact that the National Master Development Plan, established in 1998, did not include children's programmes.<sup>81</sup>

68. UNHCR recognized that climate change posed a unique set of challenges for many Pacific Island Countries, including Palau, due to rising sea levels, salination, the incidence of storms of increasing frequency and severity, and increasing climate variability.<sup>82</sup>

### **IV. Key national priorities, initiatives and commitments**

N/A

## V. Capacity-building and technical assistance

69. CRC recommended that Palau seek technical assistance from OHCHR, UNICEF, the World Health Organization, the United Nations Educational, Scientific and Cultural Organization (UNESCO), the International Narcotics Control Board, the Centre for International Crime Prevention and the International Network on Juvenile Justice regarding: its legislation to protect children from violence; adolescent health; training of professional staff working with and for children with disabilities; measures to protect children from alcohol, narcotic drugs and psychotropic substance abuse; and juvenile justice through the Coordination Panel on Technical Assistance and Advice in Juvenile Justice.<sup>83</sup>

70. CRC recommended that Palau strengthen its educational system through closer cooperation with UNICEF and UNESCO.<sup>84</sup>

71. UNHCR reiterated its willingness to provide Palau with relevant technical advice, practical guidance and operational support as regards the treatment of persons in need of international protection and the processing of asylum claims, and to assist in contributing to the creation of the institutional capacity for the development of a national refugee status determination procedure.<sup>85</sup>

72. UNHCR welcomed the participation of Palau in the Pacific Immigration Directors' Conference and recommended that the State consider participating in the Intergovernmental Asia Pacific Consultations on Refugees, Displaced Persons and Migrants.<sup>86</sup>

73. UNHCR encouraged Palau to develop a rights-based disaster management and mitigation plan, within the regional and United Nations mechanisms, which emphasized the process and adaptation of mitigation strategies, addressing as well the potential internal and/or international displacement.<sup>87</sup>

### Notes

<sup>1</sup> Unless indicated otherwise, the status of ratifications of instruments listed in the table may be found in *Multilateral Treaties Deposited with the Secretary-General: Status as at 1 April 2009* (ST/LEG/SER.E/26), supplemented by the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>.

<sup>2</sup> The following abbreviations have been used for this document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
CED	International Convention for the Protection of All Persons from Enforced Disappearance

- <sup>3</sup> Adopted by the General Assembly in its resolution 63/117 of 10 December 2008. Article 17, paragraph 1, of OP-ICESCR states that “The present Protocol is open for signature by any State that has signed, ratified or acceded to the Covenant”.
- <sup>4</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.
- <sup>5</sup> 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the Status of Stateless Persons and 1961 Convention on the Reduction of Statelessness.
- <sup>6</sup> Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see Federal Department of Foreign Affairs of Switzerland, at [www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html](http://www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html).
- <sup>7</sup> International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour; Convention No. 105 concerning the Abolition of Forced Labour; Convention No. 87 concerning Freedom of Association and Protection of the Right to Organise; Convention No. 98 concerning the Application of the Principles of the Right to Organise and to Bargain Collectively; Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 111 concerning Discrimination in Respect of Employment and Occupation; Convention No. 138 concerning Minimum Age for Admission to Employment; Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.
- <sup>8</sup> Concluding observations of the Committee on the Rights of the Child (CRC/C/15/Add.149), para. 14.
- <sup>9</sup> CRC/C/15/Add.149, paras. 15 and 41.
- <sup>10</sup> CRC/C/15/Add.149, paras. 55 and 62.
- <sup>11</sup> UNHCR submission to the UPR on Palau, p. 3.
- <sup>12</sup> UNICEF Pacific Office, *A Situation Analysis of Children, Youth and Women*, (Fiji, 2008), p. 48. Available from [www.unicef.org/pacificislands/resources\\_9686.html](http://www.unicef.org/pacificislands/resources_9686.html).
- <sup>13</sup> CRC/C/15/Add.149, paras. 10–13.
- <sup>14</sup> *Ibid.*, paras. 28–29.
- <sup>15</sup> *Ibid.*
- <sup>16</sup> *Ibid.*, para. 29.
- <sup>17</sup> *Ibid.*, para. 47.
- <sup>18</sup> For the list of national human rights institutions with accreditation status granted by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC), see A/65/340, annex.
- <sup>19</sup> CRC/C/15/Add.149, paras. 18–19.
- <sup>20</sup> *Ibid.*, paras. 22–23.
- <sup>21</sup> *Ibid.*, para. 4.
- <sup>22</sup> UNICEF Pacific Office, *A Situation Analysis* (note 12 above), p. 2.
- <sup>23</sup> CRC/C/15/Add.149, paras. 6, 18 and 19.
- <sup>24</sup> UNICEF Pacific Office, *A Situation Analysis* (note 12 above), p. 2.
- <sup>25</sup> CRC/C/15/Add.149, paras. 7 and 42.
- <sup>26</sup> *Ibid.*, para. 5.
- <sup>27</sup> *Ibid.*, para. 27.
- <sup>28</sup> Report of the Secretary-General on further implementation of the outcome of the Global Conference

- on the Sustainable Development of Small Island Developing States (A/56/170), para. 44.
- <sup>29</sup> The following abbreviation has been used for this document:  
 CRC            Committee on the Rights of the Child
- <sup>30</sup> The questionnaires referred to are those reflected in an official report by a special procedure mandate holder issued between 1 January 2006 and 31 October 2010. Responses counted for the purposes of this section are those received within the relevant deadlines, and referred to in the following documents: (a) E/CN.4/2006/62, para. 24, and E/CN.4/2006/67, para. 22; (b) A/HRC/4/23, para. 14; (c) A/HRC/4/24, para. 9; (d) A/HRC/4/29, para. 47; (e) A/HRC/4/31, para. 24; (f) A/HRC/4/35/Add.3, para. 7; (g) A/HRC/6/15, para. 7; (h) A/HRC/7/6, annex; (i) A/HRC/7/8, para. 35; (j) A/HRC/8/10, para. 120, footnote 48; (k) A/62/301, paras. 27, 32, 38, 44 and 51; (l) A/HRC/10/16 and Corr.1, footnote 29; (m) A/HRC/11/6, annex; (n) A/HRC/11/8, para. 56; (o) A/HRC/11/9, para. 8, footnote 1; (p) A/HRC/12/21, para. 2, footnote 1; (q) A/HRC/12/23, para. 12; (r) A/HRC/12/31, para. 1, footnote 2; (s) A/HRC/13/22/Add.4; (t) A/HRC/13/30, para. 49; (u) A/HRC/13/42, annex I; (v) A/HRC/14/25, para. 6, footnote 1; (w) A/HRC/14/31, para. 5, footnote 2; (x) A/HRC/14/46/Add.1; (y) A/HRC/15/31/Add.1, para. 6 – for list of responding States, see [http://www2.ohchr.org/english/issues/water/ixexpert/written\\_contributions.htm](http://www2.ohchr.org/english/issues/water/ixexpert/written_contributions.htm); (z) A/HRC/15/32, para. 5.
- <sup>31</sup> OHCHR, *2009 Report: Activities and Results*, p. 134; OHCHR, *2008 Report: Activities and Results*, p. 106; OHCHR, *2007 Report: Activities and Results*, p. 92; OHCHR, *2006 Annual Report*, p. 68.
- <sup>32</sup> OHCHR, *2008 Report: Activities and Results*, pp. 8 and 154; report of the United Nations High Commissioner for Human Rights on follow-up to the World Conference on Human Rights (A/HRC/10/31), para. 58; report of the Secretary-General on national institutions for the promotion and protection of human rights (A/HRC/10/54), paras. 9 and 25.
- <sup>33</sup> CRC/C/15/Add.149, paras. 32–33.
- <sup>34</sup> *Ibid.*, paras. 33 and 40.
- <sup>35</sup> UNICEF Pacific Office, *A Situation Analysis* (note 12 above), p. 29.
- <sup>36</sup> *Ibid.*, p. 48.
- <sup>37</sup> CRC/C/15/Add.149, paras. 32–33.
- <sup>38</sup> UNDP, *Human Development Report 2009* (New York, 2009), p. 189. Available from [www.undp.org/fj/images/stories/docs/HDR\\_2009\\_EN\\_Complete%5B1%5D.pdf](http://www.undp.org/fj/images/stories/docs/HDR_2009_EN_Complete%5B1%5D.pdf).
- <sup>39</sup> CRC/C/15/Add.149, paras. 50–51.
- <sup>40</sup> *Ibid.*
- <sup>41</sup> UNICEF Pacific Office, *A Situation Analysis* (note 12 above), p. vi.
- <sup>42</sup> A/62/PV.76, p. 16.
- <sup>43</sup> CRC/C/15/Add.149, paras. 42–43.
- <sup>44</sup> *Ibid.*
- <sup>45</sup> UNICEF Pacific Office, *A Situation Analysis* (note 12 above), p. 49.
- <sup>46</sup> CRC/C/15/Add.149, paras. 44–45.
- <sup>47</sup> *Ibid.*, paras. 54–55.
- <sup>48</sup> *Commercial Sexual Exploitation of Children and Child and Child Sexual Abuse in the Pacific: A Regional Report 2008* (UNICEF, ESCAP and ECPAT, Suva, 2008), p. 17. Available from [www.unicef.org/pacificislands/Small\\_CESEC.pdf](http://www.unicef.org/pacificislands/Small_CESEC.pdf).
- <sup>49</sup> UNICEF Pacific Office, *A Situation Analysis* (note 12 above), p. 33.
- <sup>50</sup> CRC/C/15/Add.149, paras. 58–59.
- <sup>51</sup> *Ibid.*, paras. 38–39.
- <sup>52</sup> *Ibid.*, para. 41.
- <sup>53</sup> *Ibid.*, paras. 34–35.
- <sup>54</sup> *Ibid.*, para. 61.
- <sup>55</sup> *Ibid.*, paras. 36–37.
- <sup>56</sup> UNICEF Pacific Office, *A Situation Analysis* (note 12 above), p. 32.
- <sup>57</sup> CRC/C/15/Add.149, para. 43.
- <sup>58</sup> UNICEF Pacific Office, *A Situation Analysis* (note 12 above), p. 48.
- <sup>59</sup> CRC/C/15/Add.149, paras. 38–40.
- <sup>60</sup> *Ibid.*, paras. 40–41.
- <sup>61</sup> UNDP, *Human Development Report 2009* (note 38 above), p. 189.
- <sup>62</sup> CRC/C/15/Add.149, para. 37.

- <sup>63</sup> UNICEF Pacific Office, *A Situation Analysis* (note 12 above), pp. 48 and 56.
- <sup>64</sup> CRC/C/15/Add.149, paras. 24–25.
- <sup>65</sup> UNDP, *Human Development Report 2009* (note 38 above), p. 202.
- <sup>66</sup> UNICEF Pacific Office, *A Situation Analysis* (note 12 above), p. 13.
- <sup>67</sup> CRC/C/15/Add.149, para. 39.
- <sup>68</sup> *Ibid.*, para. 47.
- <sup>69</sup> *Ibid.*, para. 49.
- <sup>70</sup> *Ibid.*, para. 57.
- <sup>71</sup> *Ibid.*, para. 47.
- <sup>72</sup> E/CN.4/2001/52, para. 67.
- <sup>73</sup> CRC/C/15/Add.149, paras. 8, 52 and 53.
- <sup>74</sup> UNDP, *Human Development Report 2009* (note 38 above), pp. 174 and 184.
- <sup>75</sup> CRC/C/15/Add.149, paras. 52–53.
- <sup>76</sup> *Ibid.*, para. 52.
- <sup>77</sup> *Ibid.*, para. 53.
- <sup>78</sup> UNHCR submission to the UPR on Palau, p. 1.
- <sup>79</sup> *Ibid.*
- <sup>80</sup> UNICEF Pacific Office, *A Situation Analysis* (note 12 above), p. 11.
- <sup>81</sup> CRC/C/15/Add.149, para. 9.
- <sup>82</sup> UNHCR submission to the UPR on Palau, p. 2.
- <sup>83</sup> CRC/C/15/Add.149, paras. 13, 43, 49, 51, 57 and 61.
- <sup>84</sup> *Ibid.*, para. 53.
- <sup>85</sup> UNHCR submission to the UPR on Palau, pp. 2 and 3.
- <sup>86</sup> *Ibid.*, pp. 1 and 3.
- <sup>87</sup> *Ibid.*, p. 2.
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