

STATEMENT
BY
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GOVERNMENT OF THE REPUBLIC OF PALAU
AND
HEAD OF PALAU DELEGATION
TO THE
18TH SESSION OF THE HUMAN RIGHTS COUNCIL

Mr. President
Distinguished Members of the United Nations Human Rights Council
Colleagues, Ladies and Gentleman:

Alii and Bonjour! I bring warm Pacific greetings from H.E. President Johnson Toribiong and the people of Palau!

Mr. President, I am deeply honored to represent Palau and return to Geneva, to conclude Palau's first Universal Periodic Review and to formally respond to the UPR Recommendations put forward by member States during our Review Session in May of this year.

I thank the President of this Council, the many states that participated constructively in the Working Group for our UPR, the Troika, namely: Moldova, Senegal, Ecuador, the Secretariat Staff and in particular, our own civil society, for the hard work and many contributions to our review.

Mr. President, We have found the Universal Periodic Review (UPR) a useful tool to assess how our country can continue to improve in achieving its own human rights goals. We have also found that the UPR process has been a uniting agent for both government and civil society. The UPR process has also allowed us to identify human rights priorities and to also take the necessary steps to ensuring that fundamental human rights are not only realized but also promoted and protected in the Republic of Palau.

Mr President, the recently concluded 42nd Pacific Forum Leaders ~~Forum~~ ^{Meeting} in New Zealand welcomed the successful participation of all Forum members in the first round of the Universal Periodic Review (UPR) to the UN Human Rights Council as major regional achievement. The Forum Leaders noted the development of this cooperation; And the networks created by this activity, represent an important source of human rights expertise for the entire region.

Furthermore, the Forum Leaders warmly welcomed the historic presence of the Secretary-General of the UN, Ban Ki-moon, in leading the UN observer delegation to the 42nd Pacific Islands Forum to help celebrate the organization's 40th year. Our Pacific Leaders expressed deep appreciation for the valuable contribution made by the UN to the Pacific region. They thanked the Secretary-General for the opportunity to discuss key challenges facing the region and highlighted the importance of the UN's continuing support to ensure the achievement of the overall objectives of the Forum's Pacific Plan.

In their discussions, Leaders also re-affirmed the shared values and principles of the Pacific Islands Forum and the UN, including important commitments to human rights, the rule of law, good governance and democracy. Leaders also welcomed the key partnerships which exist between the UN and its funds and programmes and the key regional institutions of the Pacific, particularly the Forum Secretariat.

Mr President, this year can be considered historic for the Pacific region, particularly for the Government and People of Palau as Palau's President, His Excellency Johnson Toribiong signed yesterday, at the margins of the 66th UNGA in NY, the remaining core UN Human Rights Treaties, namely Palau is already a signatory to the Convention on the Rights of the Child.

↓ This is (a monumental accomplishment for
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In that connection, I would also like, Mr. President, to take this opportunity to acknowledge the assistance of the Pacific Islands Forum Secretariat, Secretariat of the Pacific Community Regional Rights Resource Team and the Office of the High Commissioner for Human Rights Pacific Regional Office, for their support in the UPR process for Palau.

Mr. President in line with the requirements and specific guidelines for the Universal Periodic Review and more importantly you will recall that during our Review Session in May, we informed you that we would need time to consult with relevant stakeholders in Palau, both from within and outside of government, to ensure that we accurately reflect their views when we report back. I am pleased to report that a consultation was held recently with relevant government agencies and civil society to assess the various recommendations.

Mr. President, when we presented our initial report in May we received 106 recommendations. Of the 106 recommendations, we had responded to 64 and 42 were to be taken back to Palau for consideration and consultation. Palau is here; I am delighted and honored to be here after more than 20 hours of travelling. Unfortunately my Luggage did not make it here.

Hence, Mr. President, the following is our official response.

Background Summary

The Republic of Palau presented its first Universal Periodic Review Report on May 2, 2011 at the 11th session for Human Rights Council. On May 5, 2011 Palau's UPR report was adopted and of the 106 recommendations, 64 were given responses while 42 recommendations were taken back to Palau to be examined and to provide responses later. The responses are to be included in the outcome report adopted by the Human Rights Council at its 18th session in September, 2011.

The following responses to the 42 recommendations are therefore submitted:

Response for Accession/ Ratification of Treaties in General:

- **Palau's Position:** It is the position of Palau to take note of these treaties. Palau is undergoing consultation and working towards public awareness about these instruments



and determining the Republic's capacity and resources to fulfill its obligations on these treaties:

Response for Ratification of Specific Treaties:
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- **Ratifying ICCPR - Palau's Position:** It is the position of Palau to take note of these treaties. Palau is working on building public awareness on this instrument and determining the capacity and resources of the Republic to fulfill its obligations on this instrument.

- **Ratifying ICESCR - Palau's Position:** It is the position of Palau to take note of these treaties. Palau is working towards building public awareness on this instrument and on determining the capacity and resources of the Republic to fulfill the obligations of this instrument.

- * **Ratifying CEDAW - Palau's Position:** It is the position of Palau to take note of these recommendations. Palau is continuously working towards the ratifications of this instrument.

- **Ratifying CAT- Palau's Position:** It is the position of Palau to take note of these treaties. Under Palau's Constitution "Torture, cruel or inhumane or degrading treatment or punishments are prohibited". Palau is working on building public awareness and determining the capacity and resources of the Republic to fulfill the obligations of this instrument.

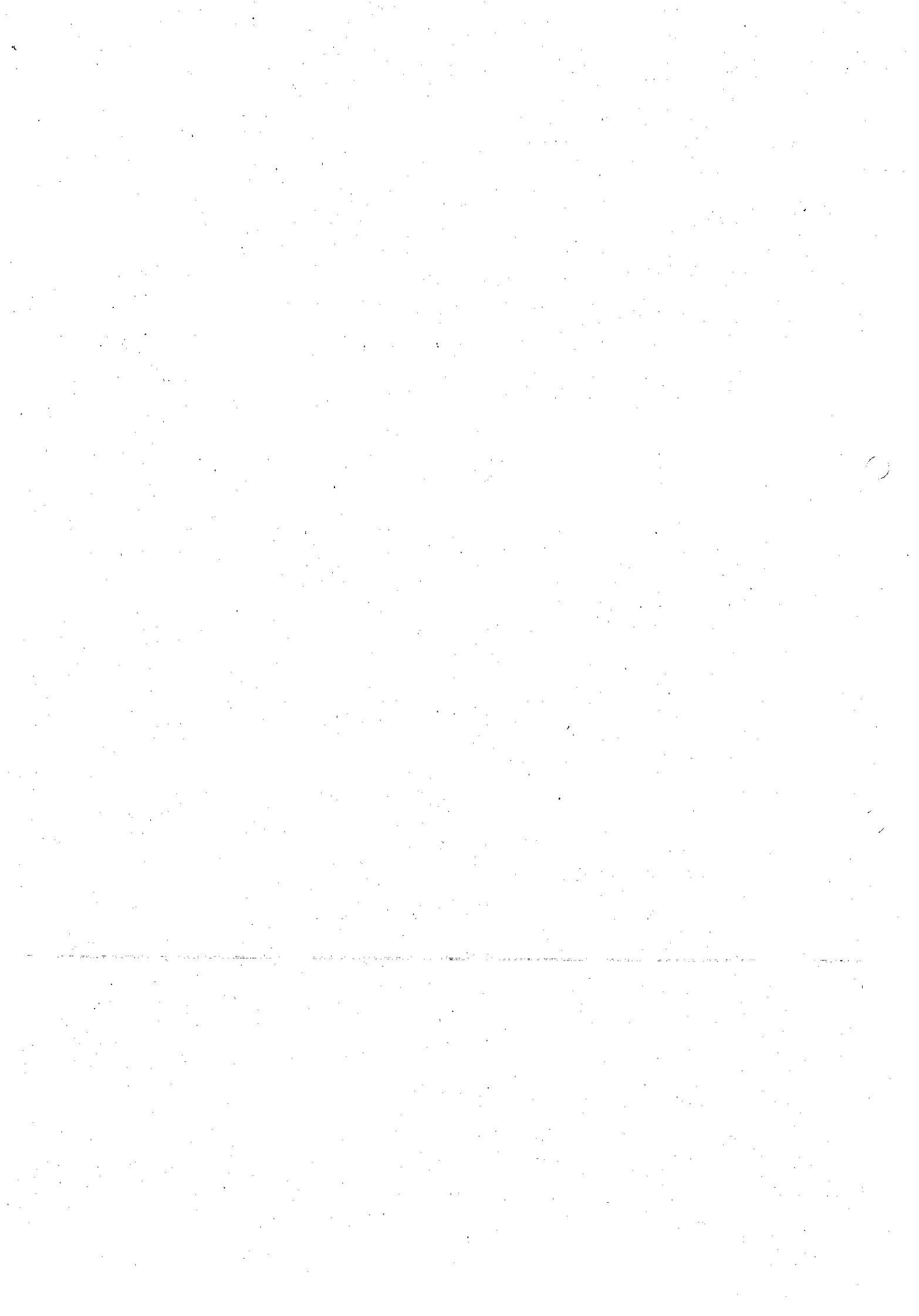
- **Ratifying CRC- Palau's Position:** Palau accepts this recommendation as it ratified CRC in 1994 and is working on its next report while following up on its obligations to this instrument.

- **Ratifying Conventions on the Rights of Persons with Disabilities - Palau's Position:** It is the position of Palau to accept these recommendations as it is working on building awareness on this instrument and determining the capacity and resources the Republic will need to fulfill its obligations to this instrument.

- **Ratifying Migrant Workers - Palau's Position:** It is the position of Palau to take note of these recommendations as it is working to develop awareness and determine the capacity and resources of the Republic to fulfill its obligations under this instrument.

- **Ratifying International Convention for the Protection of Persons from Enforced Disappearance- Palau's Position:** It is the position of Palau to take note of these recommendations as it is working to develop awareness and determine the capacity and resources of the Republic to fulfill its obligations under this instrument.

- **Ratifying on Convention relating to the Status of Refugees and Stateless Person - Palau's Position:** It is the position of Palau to take note of these recommendations as it is working to develop awareness and determine the capacity and resources of the Republic to fulfill its obligations under this instrument.



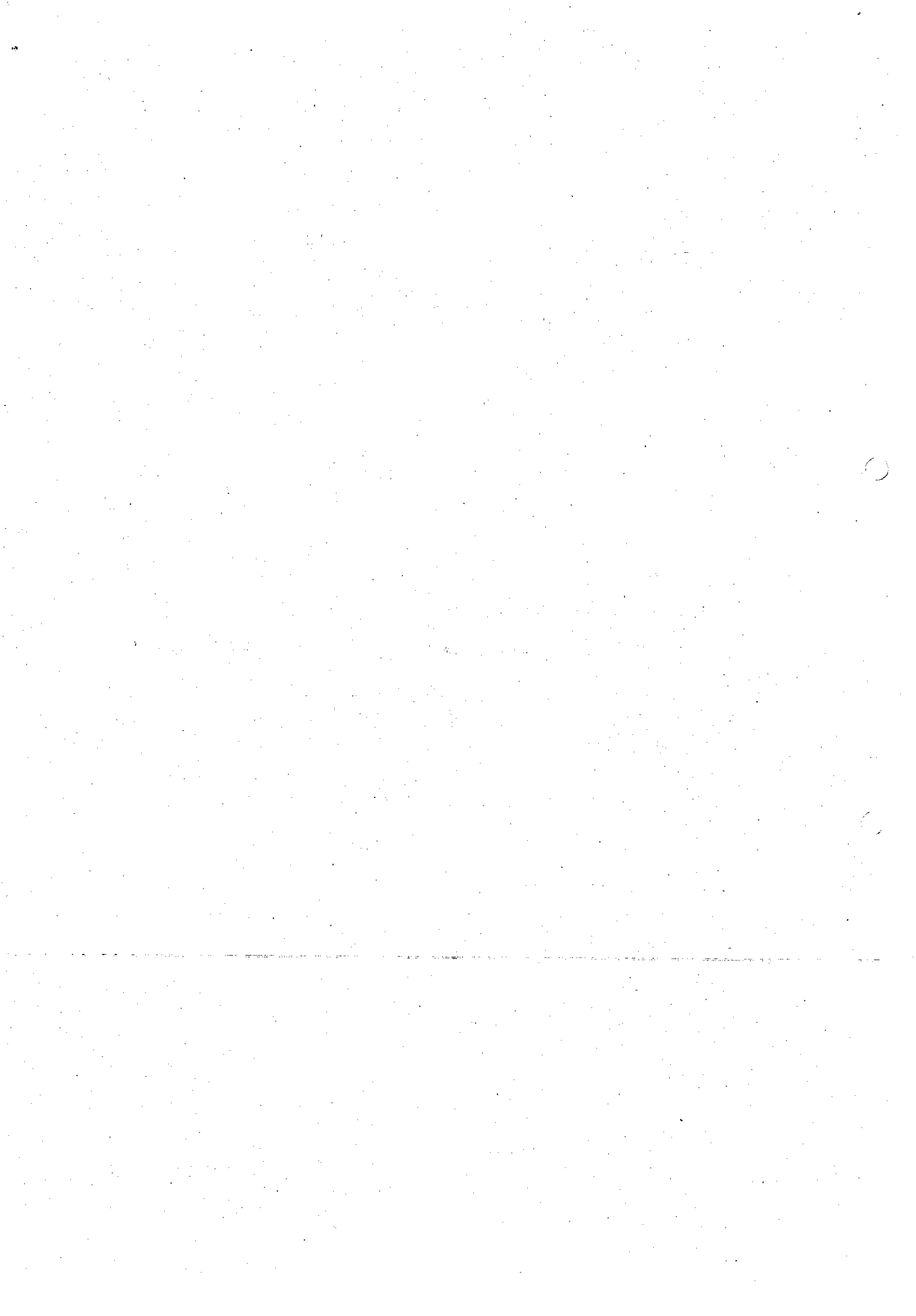
- **Ratifying on Convention relating to Transnational Organized Crime and Human Trafficking - Palau's Position:** Palau takes note of these recommendations as it is working to develop awareness and determine the capacity and resources of the Republic to fulfill its obligations under this instrument. Palau has existing legislation and enforcement mechanism addressing human trafficking.
- **Withdrawal of Reservations to CEDAW - Palau's Position:** It is the position of Palau to take note of these recommendations as it is working to develop awareness and determine the capacity and resources of the Republic to fulfill its obligations under this instrument.

<p>Response On Harmonization of Legislation/Implementation:</p>
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- **Legislation on CEDAW - Palau's Position:** It is the position of Palau to take note of these recommendations. Appropriate Ministries of Palau continue to work closely to ensure that relevant polices are in line with CEDAW.

On the Establishment of a National Human Rights Institution - Palau's Position: It is the position of Palau to accept this recommendation. Palau continues to work with the Pacific Islands Forum Secretariat and Asia Pacific Forum through consultations in developing awareness and to determine the capacity and resources of the Republic to fulfill its obligations under this institution. On 1 – 5 August 2011, Palau will conduct a National Human Rights Institution consultation with the assistance of the Pacific Islands Forum Secretariat, Asia Pacific Forum and the Office of the High Commissioner for Human Rights. The in country consultation will consist of key government officials particularly members of the National Congress as well as relevant government Ministries and Agencies. The outcome of the consultation will determine the move forwards establishing a NHRI.

- **On the Status of Children Born of Foreign Parents - Palau's Position:** It is the position of Palau to take note of this recommendation. In line with Palau's Constitution, the legislative body may address the status of children born of foreign parents.
- **The Minimum Age of Criminal Responsibility - Palau's Position:** It is the position of Palau to accept this recommendation. Palau is a party to CRC and will make changes according to these recommendations according to the standards of CRC.
- **Treatment of Female Prisoners - Palau's Position:** It is the position of Palau to take note of this recommendation. Palau prison system has existing compliance standards that protect women prisoners in line with Bangkok Rules.



- **Sexual Exploitation of Children - Palau's Position:** It is the position of Palau to accept these recommendations. Palau is a party to CRC and will apply these recommendations under its obligations on this instrument.
- **Child Labour - Palau's Position:** It is the position of Palau to accept these recommendations as it is a party to CRC and will apply its obligations under this instrument.
- **Criminalization of Sexual Relations of Consenting Adults of the Same Sex - Palau's Position:** It is the position of Palau to accept these recommendations. Palau will take appropriate measures to modify or amend current legislation in line with international standard.
- **Age of Marriage - Palau's Position:** It is the position of Palau to accept these recommendations. Palau will take appropriate measures to modify or amend appropriate legislation in line with international standards.
- **Refugees and Asylum Seekers - Palau's Position** It is the position of Palau to accept these recommendations. Palau will take appropriate measures to enact appropriate legislation in line with international standards.

Mr. President, these are our responses to the recommendation we brought back home in May of this year. Thus, I humbly seek the Council's support on the final adoption of Palau's first UPR Report. I am excited and look forward to returning in 4 years time to share and to tell our stories to the Council on Palau's further progress with regards to the promotion and protection of Human Rights and our international obligations thereof.

In conclusion, Mr. President, I wish to say that Palau is fully committed to its human rights obligations and responsibilities and reiterates its appeal to the international community to assist our country, both technically and financially, in our efforts to carry out our human rights responsibilities in the implementation of these human rights instruments and the Universal Declaration on Human Rights.

Finally, Mr. President, I would like to end by saying: Mesulang, Thank you very much and Merci beau coup!

