



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS  
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Excellency,

I have been following the third cycle of the Universal Periodic Review (UPR) of the Republic of Palau and welcome the constructive engagement of the Government of Palau during the 38<sup>th</sup> session of the UPR Working Group in May 2021.

As the final outcome report on the review of Palau was recently adopted by the Human Rights Council at its 48<sup>th</sup> session, I would like to take this opportunity to follow up on a number of areas raised in the two reports that my Office had prepared for the review of Palau – the Compilation of United Nations information and the Summary of Stakeholders' submissions – which I consider in need of particular attention over the next four and a half years, until the next cycle of the UPR. In identifying those areas, I have considered the statements and recommendations made by 52 delegations and the presentation made and responses provided by the delegation of Palau. I have also considered the actions taken by the Government of Palau to implement the 82 recommendations fully supported as well as those that were partially accepted during the second cycle of the UPR. The aforementioned areas cover a range of issues, which appear in the annex to this letter.

I noted that Palau has continued to take steps to address the challenges posed by climate change and environmental degradation. I encourage Palau to strengthen those efforts and to continue implementing policies for sustainable development to achieve progress towards the attainment of the Sustainable Development Goals. I also encourage Palau to take steps to mitigate the negative impacts of climate change on the environment and human rights.

I welcome the adoption of the National Gender Mainstreaming Policy 2018–2023 to achieve gender equality. I encourage Palau to continue tackling the root causes of gender inequality and to promote the participation of women in decision-making positions.

I also note that despite several important steps taken towards developing a coherent counter-trafficking response, including the establishment of the Human Trafficking Task Force, Palau still faces significant gaps in ensuring that victims receive adequate protection and assistance. I encourage Palau to adopt legislative and administrative measures specifically addressing trafficking in children to prevent trafficking and effectively prosecute the perpetrators.

I acknowledge that Palau faces challenges in its capacities and resources, particularly in ratifying additional treaties, establishing a national human rights institution, ensuring equal rights for women and improving conditions of detention. My Office, particularly through the Regional Office, avails itself to support you in this regard.

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H.E. Mr. Jeffrey ANTOL  
Director of the Bureau of Foreign Affairs and Trade and Ministry of State  
Republic of Palau

I encourage Palau to develop a comprehensive national human rights action plan in order to achieve concrete results in the areas highlighted in the annex to this letter and to facilitate preparations for the fourth cycle of the UPR. My advice to all Member States is to develop and implement national action plans in close consultation and cooperation with all stakeholders, in particular all civil society organizations and, where necessary, with the support of international organizations, including my Office and other United Nations entities, under the leadership of the United Nations Resident Coordinator.

I also encourage Palau to further strengthen its national mechanism for comprehensive reporting and follow-up to recommendations received from all international and regional human rights mechanisms and to treaty obligations, linking them to the Sustainable Development Goals. To this end, I strongly recommend the use of the OHCHR practical guide on this topic, which is available at:

[http://www.ohchr.org/Documents/Publications/HR\\_PUB\\_16\\_1\\_NMRF\\_PracticalGuide.pdf](http://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf)

Please note that I am sharing my advice with all Member States as they go through the third cycle of the UPR with a view to assisting States with the implementation of the recommendations, following the review. One important measure that can positively contribute to follow-up action is voluntary mid-term reporting. Therefore, I strongly encourage all Member States to submit a voluntary mid-term report two years after the adoption of the UPR outcome report. In this regard, I encourage the Government of Palau to consider submitting a mid-term report on follow-up to the third cycle of the review by 2023.

As stated by the Secretary-General in his 2017 report on the work of the Organization (A/72/1, paragraph 98): *“The Human Rights Council’s universal periodic review process is now entering a new cycle, with every Member State scheduled for a third round of scrutiny. We will work to strengthen the relevance, precision and impact of the Council’s recommendations, including by providing better support to Member States in implementation, stronger collaboration with United Nations country teams and the establishment of national mechanisms for human rights reporting and follow-up to link the universal periodic review to the implementation of the Sustainable Development Goals.”*

I look forward to discussing with you ways in which my Office may assist Palau in relation to the areas identified in this letter and its annex.

Please accept, Excellency, the assurances of my highest consideration.



Michelle Bachelet  
High Commissioner for Human Rights

cc: H.E. Ms. J. Uduch SENGEBAU  
Senior, Vice-President and Minister of State  
Republic of Palau

Mr. Jacob VAN HIERDEN  
United Nations Resident Coordinator for the North Pacific  
Federated States of Micronesia

Ms. Heike ALEFSEN  
Regional Representative of the United Nations High Commissioner for Human Rights  
OHCHR Regional Office for the Pacific  
Republic of Fiji

## **Annex**

### **Scope of international obligations and cooperation with international human rights mechanisms and bodies**

- Speeding up efforts to complete the ratification of all international human rights treaties Palau has signed, especially those considered as core international human rights instruments and their optional protocols to strengthen the application and observance of international human rights standards, in particular the Convention on the Prevention and Punishment of the Crime of Genocide, the Convention on Elimination of All forms of Discrimination against Women, the International Covenant on Civil Political Rights and its second Optional Protocol aiming at the abolition of the death penalty, the International Covenant on Economic, Social and Cultural Rights, the International Convention for the Protection of all Persons from Enforced Disappearance, the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment and its Optional Protocol, the International Convention on the Elimination of All Forms of Racial Discrimination, the Optional Protocols to the Convention on the Rights of the Child, the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, the 1951 Convention relating to the Status of Refugees, the Convention relating to the Status of Stateless Persons, the Convention on the Reduction of Statelessness, and the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity.
- Ratifying and implementing the 2014 ILO Protocol to the Forced Labour Convention, 1930.
- Requesting technical assistance from the Office of the High Commissioner for Human Rights to advance in the ratification of the main international human rights instruments to which Palau is not yet party, as well as to ensure the incorporation of international obligations into its national legal system deriving from international human rights treaties to which the country is already a party.

### **National human rights framework**

- Strengthening and fully operationalizing the National Human Rights Committee and the Office of the Ombudsman, including through providing it with additional financial and human resources and seeking international cooperation in support of their institution building.
- Establishing a national human rights institution in conformity with the Paris Principles in order to develop capacities in the field of human rights and ensuring the allocation of sufficient resources for its operation.
- Seeking international assistance and support for addressing challenges of capacity building and resource constraints and for helping Palau to meet its human rights obligations.
- Strengthening the implementation and monitoring of the recommendations accepted under the UPR and establishing a mechanism to link it to the 2030 Agenda.
- Intensifying nationwide awareness-raising programmes on human rights and the enjoyment of human rights, including programmes specifically targeting women, youth, and children.
- Developing a national plan of action for human rights education and working with education institutions in order to implement it.

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

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

#### *Development, the environment, and business and human rights*

- Taking adequate measures to mitigate the effects of climate change, including by considering the development and implementation of relocation strategies for coastal communities affected by rising sea levels.
- Ensuring that women, children, persons with disabilities, minority groups and rural communities are meaningfully engaged in the development and implementation of climate change and disaster risk reduction frameworks.

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

#### *Women*

- Strengthening the efforts to put an end to gender-based violence and strengthening coordination and availability of services for survivors of domestic violence.
- Committing resources, including through international cooperation, to establish shelters and safe homes for women and children subjected to violence.

#### *Children*

- Integrating effectively the provisions of the Convention on the Rights of the Child in the domestic legal system.
- Implementing the Convention on the Rights of the Child, including through the implementation of the recommendations of the Committee on the Rights of the Child issued in 2018 regarding the design, approval and implementation of a comprehensive national strategy on children that covers all areas of the Convention and that has appropriate human, technical and financial resources for its implementation.

#### *Migrants, refugees and asylum seekers*

- Improving the protection of foreign workers and recognizing the rights of refugees.