

**Country session:** Palau

**Date of session:** 25<sup>th</sup> January 2018

**Context**

During the session both the delegation and the Committee expressed concerns over the impact of climate change on the enjoyment and development of human rights in the country.

**Background information**

[OHCHR press release](#)

[Webcast](#)

[Audio file](#)

**Reporting**

**Reporting methodology**

Regular reporting procedure

Simplified reporting procedure

Concluding Observations with urgent measures

**State report:**

Common core document	
<a href="#">Initial submission</a>	21 <sup>st</sup> October 1998

CRC:		OPAC:		OPSC:	
No. of report	2 <sup>nd</sup>	No. of report	-	No. of report	-
Due date	4 <sup>th</sup> September 2012	Due date	-	Due date	-
Submission	27 <sup>th</sup> July 2016	Submission	-	Submission	-

<a href="#">Written replies to LOIs</a>	
Submission	31 <sup>st</sup> October 2017
Due date	15 <sup>th</sup> October 2017

**Additional comments:** The Committee regretted that the State report was submitted with a delay that resulted in a lack of reviewing the implementation of the Convention for 16 years.

**Public reports from children's rights defenders**

<a href="#">Alternative reports</a>	
<b>NGOs</b>	<ul style="list-style-type: none"> <li>• Child Helpline International</li> <li>• Global Initiative to End All Corporal Punishment</li> <li>• Kaleidoscope Australian Human Rights Foundation</li> </ul>

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### State delegation

The small delegation of Palau was largely of a technical nature and participated through video-conference for cost reduction purposes.

### Committee's Task Force members

Name & Last Name	Country
Ms. Renate WINTER	Austria
Mr. José Angel RODRIGUEY REYES	Venezuela

### Dialogue description

i. Character of the dialogue

The dialogue was of a technical nature, with a cooperative spirit, mainly focused on aspects of discrimination and violence against children.

ii. General assessment made by the Committee

The Committee acknowledged the point made by the delegation that the country's limited resources must be taken into account when drafting the concluding observations, but emphasised that all possible efforts must be made to ensure food, shelter and free education.

iii. Main issues discussed:

- **Juvenile Justice:** The Committee showed concern over the lack of progress of the national review of the juvenile justice system and the low minimum age of criminal responsibility. The delegation said that this age varied between fourteen and eighteen years old depending on the nature of the crime. However, it added that there were currently no juveniles held in detention.
- **Violence Against Children:** The Committee regretted that the State had not implemented its previous recommendations to end corporal punishment, which could still be used to discipline children and there had been no awareness campaigns to change this violent approach to discipline.
- **Non-discrimination:** The Committee asked the delegation if children with disabilities were provided access to public buildings, if the special education programme excluded these children from regular schools and if they had access to healthcare, education and a standard of living. The delegation said food, lunch and transportation were provided for all children, including children with disabilities, and that there were plans to include disability in the national census. The Committee also expressed concern over discrimination of children of Palauan descent.
- **Child Marriage:** The Committee voiced concern over the fact that child marriage was still legal, as girls could get married over the age of sixteen with parental consent. The delegation replied that legislation to increase the age of marriage for girls to eighteen was pending Senate approval.

## Recommendations of the Committee

- **Data Collection:** The Committee recommends Palau to develop a comprehensive system of disaggregated data covering all aspects under the Convention and ensure linkages between sector-specific data collection system and the Office of Planning and Statistics and share data with actors working on the rights of the child.
- **Non-discrimination:** The Committee urged the State to ensure that children with disabilities and girls have equal access to education, healthcare, employment and a decent standard of living; to revise the Constitution and all laws to explicitly forbid discrimination based on sexual orientation and gender identity; and undertake legislative measures to ensure that children of non-Palauan parentage are afforded the same rights and access to health, education and social services as Palauan children.
- **Child Marriage:** The Committee urged the State to revise its National Code to ensure that the minimum age for marriage is established at 18 years old for both girls and boys.
- **Juvenile Justice:** The Committee recommended the State to adopt legislation for the administration of juvenile justice in accordance with the Convention.
- **Violence Against Children:** The Committee expressed great concern over the corporal punishment situation and recommended that the State amends its legislation to explicitly prohibit it in all settings; strengthen teacher, parental and all professionals who work with children to be trained on non-violent forms of discipline; enforce the prohibition against corporal punishment and set up a safe, confidential and child-friendly complaints mechanism. In terms of sexual exploitation and abuse, the Committee urged Palau to adopt legislation which specifically addresses the exploitation of children via media; criminalise sexual offending against a child as a separate offence with stricter sentences for perpetrators; amend the law so boys are given equal protection from sexual abuse as girls; ensure effective prevention and mitigation mechanisms, procedures and guidelines for cases of sexual abuse and create child-friendly and effective reporting channels; ensure that all child victims of sexual exploitation and abuse receive psychosocial support for recovery and social reintegration.

## Sustainable Development Goals

In its Concluding Observations, the Committee referenced the following Sustainable Development Goals in relation to its recommendations:

- Target 3.4 on reducing premature mortality from non-communicable diseases through prevention and treatment;
- Target 3.5 on strengthening the prevention and treatment of substance abuse, including narcotic drug abuse and harmful use of alcohol;
- Target 4.5 on eliminating gender disparities in education and ensuring equal access to all levels of education and vocational training for children in vulnerable situations, including persons with disabilities;
- Target 13.5 on promoting mechanisms for raising capacity for effective climate change-related planning and management
- Target 16.9 on providing legal identity for all, including birth registration.



## Next State report

CRC	
No. of report	3th-7th
Due date	3 September 2022

**Disclaimer:** *Child Rights Connect reports are all drafted in English. If the State report and/or the alternative reports were submitted in another UN language (Spanish, French, Arabic, Russian or Chinese) the report will be translated accordingly.*