



Convention on the Rights of Persons with Disabilities

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Consideration of reports submitted by parties to
the Convention under article 35

Replies of Palau to the list of issues in relation to its initial report^{*}, ^{**}

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* The present document is being issued without formal editing.

** The annexes to the present document may be accessed from the web page of the Committee.



I. Introduction

1. The Convention on the Rights of Persons with Disabilities (CRPD) provides a global framework for promoting the rights and inclusion of persons with disabilities. With 50 articles, it outlines key principles such as equality, accessibility, protection from exploitation, and respect for privacy, emphasizing the need for strong national legislation to implement these rights. Article 4 of the CRPD mandates States to adopt laws that eliminate discrimination and to consult with persons with disabilities in policymaking.

2. This report was drafted in response to the list of issues presented by the Committee on the Rights of Persons with Disabilities (CRPD/C/PLW/1). It focuses on the Republic of Palau's legislative landscape, examining its compliance with the CRPD and identifying areas for improvement. By reviewing constitutional protections and relevant laws, this report aims to support efforts toward greater inclusivity and equal rights for persons with disabilities in Palau. The report was drafted based on consultations with a wide range of stakeholders, including ministries, law enforcement authorities, international partners, businesses and civil society organizations, including organizations of persons with disabilities. This report builds on the first report of Palau to the Committee (CRPD/C/PLW/1) and it provides a series of updates to it, guided by the issues presented by the CRPD.

II. Replies to the list of issues (CRPD/C/PLW/Q/1)

A. Purpose and general obligations (arts. 1–4)

3. In September 2024, Senate Bill 11-81 (attached) was approved by the Olbiil Era Kelulau (Palau National Congress). This is now a law, RPPL 11-36 (attached). The legislation is intended to establish a Coordinating Committee of Persons with Disabilities to develop a comprehensive National Policy on Persons with Disabilities and to establish an Office of Persons with Disabilities to implement such policy and for other related purposes. The legislation authorizes 1% of the annual tax revenues from alcohol, cigarettes, and other tobacco products appropriated to the Coordinating Committee on Persons with Disabilities while 2% is appropriated for the Office of Persons with Disabilities. The comprehensive National Policy will be adopted within 270 days of the bill's enactment, replacing the National Disability Inclusive Policy 2015–2020 and building on lessons learned.

4. The duties of the Coordinating Committee shall include: coordinating programs and services for persons with disabilities across government and participating non-governmental organizations; reporting on progress and services related to persons with disabilities; developing, publishing, and updating the National Policy on Persons with Disabilities; recommending regulations to the Ministry of Health and Human Services; and recommending legislation to the Olbiil Era Kelulau.

5. The duties of the Office of Persons with Disabilities include: developing programs and activities to implement the National Policy on Persons with Disabilities; serving as the public-facing office for information on programs and services; and providing policy recommendations to the Coordinating Committee on Persons with Disabilities.

6. Prior to the adoption of Senate Bill 11-81, an *ad hoc* governmental working group on persons with disabilities has begun the process of reviewing the 2015–2020 policy regarding programs and services in employment, education, health, justice, and accessibility to align them with the Convention. In 2019, Palau adopted the Severely Disabled Fund (RPPL 9-55), with the stipend doubled in 2021 (RPPL 11-2).

7. As mentioned in the initial report (CRPD/C/PLW/1), there are still inconsistencies in the definition of “disabilities” and persons with disabilities in Palau. For example, the legislation on the protection of children – mentions the convention expressly. In the same legislation, there is punishment for “endanger the welfare of a minor or endanger the welfare of an *incompetent people*”, an outdated term for persons with disabilities which Palau intends to revise in a future legislative reform. The Palau National Code defines disability as “a physical or mental impairment that substantially limits one or more of a person's major life

activities”. It also defines “person with a disability” as “an individual with a disability who can perform the essential functions of the job the individual holds or desires.” The *ad hoc* working group on persons with disabilities is beginning work on a comprehensive revision of legislation on persons with disabilities, with the support of development partners. This work will be continued by the soon-to-be-established Coordinating Committee, which is currently being planned with development partners and has the president’s support.

8. The National Disability Coordinating Council that had been established by Executive Order No. 298 has now been abolished. An *ad hoc* working group is now the coordinating entity to promote equal opportunities for all persons with disabilities in Palau. The *ad hoc* working group includes 9 members in total and meets monthly. Six members represent the Government, i.e. two from the Ministry of Health and Human Services, and one from the Ministry of Education, one from the Ministry Justice, one from the Ministry of Public Infrastructure and Industries, and the Ministry of Human Resources, Culture, Tourism and Development. Three members represent civil society organizations, including one organization of persons with disabilities, one coalition of civil society organizations and one representative of the private sector. Other entities are often invited to meetings, including the Ministry of State and United Nations entities in Palau. RPPL 11-36 will create the new Coordinating Committee of Persons with Disabilities that will then take over the roles from the *ad hoc* working group.

9. Organizations of persons with disabilities are part of the above *ad hoc* working group and also in the working group on the aging and the healthcare coalition on disaster risk reduction. Organizations of Persons with Disabilities are included in the new Committee established by RPPL 11-36.

10. Constitutional and other legally relevant provisions were listed in the initial report by Palau under article 35 of the Convention in 2018.

B. Specific rights (arts. 5–30)

Equality and non-discrimination (art. 5)

11. The initial report by Palau (CRPD/C/PLW/1) references the relevant constitutional provision prohibiting discrimination on disability grounds is referenced in paragraph 38, and the legislation in paragraphs 39 to 42.

12. Palau still has no legislation on reasonable accommodation. Arrangements for reasonable accommodations have been made not only for wheelchair students, as mentioned in the initial report, but also for all other students with disabilities, in particular, intellectual, and psychosocial. In other areas, reasonable accommodation is still not practised.

13. The Family Protection Act provides a process for seeking relief from physical, emotional and/or psychological abuse.

Women with disabilities (art. 6)

14. The recently submitted National Narrative Report to the Thirtieth anniversary of the Fourth World Conference on Women and the adoption of the Beijing Declaration and Platform for Action (1995),¹ recognizes specific intersectional discrimination against women and girls with disabilities. For instance, it compiles data demonstrating that females with a disability are less likely to be in paid employment than males with a disability. In the Gender Mainstreaming Policy.

15. The Palau Community College and the Ministry of Education have cooperated to promote technical education programs for women and girls with disabilities. The Workforce Innovative and Opportunity Act program has trained women with disabilities to empower women to access the job market. The Palau civil society organization, Palau Entrepreneurs for Growth, has provided support with training to community members, including persons

¹ https://www.unwomen.org/sites/default/files/2024-09/b30_report_palau_en.pdf.

with disabilities, for starting up small and medium business enterprises. As of August 2024, of the 374 beneficiaries of the Severely Disabled Fund, 149 were women and girls.

16. From 2019 to 2021, Courts issued 17 restraining orders in cases involving persons with disability (domestic abuse cases).²

17. In general, the National Gender Mainstreaming Policy (2018) was put in place under the previous government administration but has not been actively pursued during the current government. There has been very little resourcing of gender mainstreaming in the Palau government, although international project funders have often included gender mainstreaming as a precondition for project funding. The Ministry of State has recently initiated a process to review and update the policy. The current version of the policy has only a very brief mention of disability to recognize vulnerability and intersections with gender, but beyond this, there are no clear guidelines on ensuring that the mainstreaming policy includes and pays attention to women and girls with a disability.

18. The Family Protection Act provides protection measures and services for everyone. It does not have dedicated provisions for women and girls with disabilities. OMEKESANG, the main Organization of Persons with Disabilities in the country, is a member (or partner) of the Family Protection Act Working Group, which contributes to mainstreaming concerns of persons with disabilities in its work.

19. The Ministry of Justice has implemented several measures to combat gender-based violence, which disproportionately affects women and girls with disabilities. This includes comprehensive training for law enforcement officers on recognizing and responding to cases of violence and the establishment of protection mechanisms under the Family Protection Act. While these initiatives are crucial, continued efforts are needed to close gaps in social services and ensure that women and girls with disabilities receive adequate protection and support.

Children with disabilities (art. 7)

20. Through the Programs and Services for Handicapped Children Act of 1989 (22 PNCA, Section 402), the Olbiil Era Kelulau recognizes that it is the obligation of the national government to provide educational services to all children to enable them to lead fulfilling and productive lives, and therefore declares that it is the responsibility of the national government to provide full educational opportunities and necessary related services to each handicapped child in order to ensure that each handicapped child acquires the skills and knowledge necessary to lead a fulfilling and productive life as a citizen of the Republic.

21. Legislation (21 PNC) includes provisions on the Family Protection Act and includes protection provisions relating to situations of sex crimes, child abuse and elderly abuse. In circumstances involving juveniles – the court cannot hear cases if their parents or guardians are not present.

22. It is recognized that educational opportunities and related services shall be provided in regular classrooms and regular schools or other environments which provide education and interaction with non-handicapped children to ensure that handicapped students become integral members of community life and fully participate and are accepted members of the social, educational, political, and economic institutions of Palauan society. In order to accomplish this policy, the national government shall provide financial, material, and human resources, as well as coordinated and comprehensive administrative structures for the purpose of serving handicapped children, their families, and the agencies and organizations which serve them.

23. As of August 2024, there were 374 beneficiaries of the Severely Disabled Fund, including 101 children (77 boys and 24 girls).

² <http://www.palausupremecourt.net/upload/P1406/22107021559405.pdf>.

Awareness-raising (art. 8)

24. Palau recognizes that ongoing advocacy and community engagement are essential for promoting awareness of the rights of individuals with disabilities. The government is committed to enhancing social services and support systems to prevent violence and ensure that all citizens can exercise their rights without fear of discrimination or harm.

25. Every last Friday of the month OMEKESANG, runs a program about persons with disabilities and their rights in the State-run radio Eco-Paradise. The host of the program, himself a blind person, invites other persons with disabilities to share their experience, life stories. OMEKESANG also partners with other entities in a monthly radio show on issues faced by persons with disabilities. OMEKESANG has a Facebook page where it shares more information and tells stories on persons with disabilities as rights holders.

26. On the International Day of Persons with Disabilities, observed on 3 December, OMEKESANG, in partnership with Palau Parents Empowered and other stakeholders, including from the Ministry of Health and Human Services, organize radio talk shows, television shows, social media campaigns, roadside campaigns, symposiums, walk and run among others. On that day, the president also celebrates the national day of persons with disabilities. Campaigns are also carried out by OMEKESANG in partnership with governmental institutions highlighting intersectional challenges faced by persons with disabilities during other celebratory dates, including the celebrations of International Women's Day, National Youth Day, National Preparedness Month and National Autism Awareness Month. The Government's 16 Days of Activism Campaign Against Violence Against Women & Children also included information on persons with disability.³

27. These campaigns have positively impacted public attitudes towards persons with disabilities and their inclusion and participation in public life. Since the campaign, more cases have been filed and the number of individuals seeking information on protective services has grown, including parents of persons with disabilities. In the past, the protection of persons with disabilities was centred on the family. Inadvertently, many times with the intention of protecting them, some families would limit persons with disabilities' participation in public life. There was also less awareness about the persons with disabilities' needs and challenges to participate in public life, including issues of physical accessibility. With State and community-led campaigns, since the late 1990s, there has been a gradual and continued improvement of awareness and public attitudes towards persons with disabilities. There is also more understanding of the diversity of existing disabilities. Parents are enrolling their children in schools and bringing children with disabilities to specialists to diagnose disabilities and identify treatments or assistive devices that can enable persons with disabilities to participate in public life.

28. In school calendars, the Ministry of Health and Human Services, in cooperation with the Ministry of Education, campaigns against bullying. There is a general perception that these have resulted in fewer episodes of bullying, and less use of terms with negative connotation to reference persons with disabilities.

Accessibility (art. 9)

29. The Ministry of Health and Human Services, in partnership with OMEKESANG, undertook initiatives on access audits to schools and public buildings. Parking spaces have increased in public buildings and schools. With the increased disability awareness in the community, bathrooms for persons with disabilities, both male and female, have been made available in public parks.

30. The Ngermalk Access Ramp built at Long Island Park is the first project using the access audit toolkit and is inclusive of, for, and with persons with disabilities from planning to the end stages. The toolkit has the standards and measurements of what accessibility should look like for persons with disabilities. The toolkit has been incorporated in the Pacific Regional Accessibility Blueprint which is still with the Pacific Islands Forum Secretariat for the Forum Leaders to endorse it.

³ <http://www.palausupremecourt.net/upload/P1406/22107021559405.pdf>, page 15.

31. Currently there are no policies or specific measures in place to promote equal access to transportation, and information and communication technology, nor for the use of Braille, sign language and easy-read formats.

Situations of risk and humanitarian emergencies (art. 11)

32. Palau recognizes the need to make disaster risk and early warning information accessible to all persons with disabilities, including those with visual, hearing, intellectual, or psychosocial impairments. In recent efforts, The International Organization for Migration (IOM) supported and partnered with organizations of persons with disabilities like OMEKESANG and Palaris to map out persons with disabilities in Palau. This mapping allowed authorities to better understand the needs of persons with disabilities and ensure that early warning information reaches them in accessible formats, whether through visual aids, audio messages, or other assistive technologies tailored to specific impairments.

33. There is community engagement of persons with disabilities during the planning and implementation of disaster preparedness and climate change management strategies. For example, in strengthening emergency evacuation shelters, IOM has supported the efforts of the National Emergency Management Office (NEMO) by installing accessible features such as permanent ramps and portable ramps. Both IOM and NEMO consult persons with disabilities during these processes to ensure their voices are heard and their specific needs are addressed. IOM's collaborations with OMEKESANG have allowed them to further tailor their interventions to be inclusive and accessible, particularly for deaf persons, persons with hard of hearing, or those who have visual impairments.

34. IOM supports the efforts of the NEMO in supporting the inclusion of persons with disabilities in the National Disaster Risk Management Framework (2016–2030). IOM's projects are aligned with this framework, and they advocate for resource allocation to provide assistive technologies during emergencies. The ongoing mapping of persons with disabilities aids in identifying those in need of such technologies, ensuring they are available and accessible in case of disasters. Additionally, we are working closely with partners like the Australian government to enhance data collection efforts, aiming for a unified approach across agencies.

35. IOM regularly collaborates with first responders such as the Palau Red Cross to ensure that rescue and emergency personnel are trained on disability-inclusive responses. They continue to seek funding and partnerships to expand these training programs, ensuring that personnel are prepared to address the needs of all individuals, including older persons and those with disabilities, during emergencies.

36. On September 24–25, 2024, OMEKESANG, a member of the Healthcare Coalition, in partnership with the Ministry of Health and Human Services, launched Guidelines on Disability Inclusive Disaster Risk Reduction and carried out a Tabletop and Simulation Exercise on Evacuation Drill in Melekeok State. This two-day event brought together stakeholders and community members, fostering collaboration, learning, and strengthening our preparedness. Day one focused on critical discussions about safely and effectively evacuating people with disabilities in the face of disasters. On day two, participants were able to take part in hands-on activities and drills, enhancing their collective readiness and response capabilities. This activity was very successful, and it was only possible thanks to the outstanding dedication and support to the community by the Melekeok State Government and RDAT.

Equal recognition before the law (art. 12)

37. The Public Defender's Office provides legal services to all free of cost and without discrimination. There are judicial processes in place to assess the capacity of all persons in case of doubt concerning their ability to provide their free and informed consent. In the jail system, there is a process to have nurses and hospital staff attend to persons deprived of liberty in the place of deprivation of liberty.

38. Persons with disabilities can sign a power of attorney transaction, which can be limited powers of attorney in order to enable them to own property. In 2021, there were three civil cases filed relating to guardianship. To the extent that the person with a disability is

competent, the Court will inquire about the free and informed consent of the person being assigned as a guardian and on the decisions being made. If there is no medical report to the effect that a person with a disability should be declared incompetent, the Court will require such a report to uphold the guardianship. If the Court feels that a lawyer would best represent the interest of the individual, the court will order a guardian *ad litem*. That lawyer, who is on a *pro bono* basis to represent the individual interests and ensure that no rights are violated. This is usually done in cases relating to minors and the elderly Judges are aware of the importance of adopting the least restrictive measure to persons according to their respective level of capacity, with many cases including only limited guardianship. Psychiatrists are consulted to help assess the level of capacity.

39. The Palau Severely Disabled Assistance Fund requires a caregiver, and this includes a form of free and informed consent for guardianship.

Access to justice (art. 13)

40. The Ministry of Justice has a Standard Operating Procedure applicable to every person. The implementation of these procedures takes into account the particular circumstances of persons with disabilities to ensure their access to the justice system. There is no designation of persons with disabilities as a protective class. People deprived of liberty may file petitions of writ of *habeas corpus* when circumstances warrant it.

41. All individuals with scarce economic resources can be represented by the Public Defender's Office. As a matter of practice, if the representation is a person with a disability, the Public Defender's Office will consult with the family or legal guardian to ensure the adequate representation of the person with a disability.

42. The Office of the Public Defender shall represent indigent individuals in all criminal matters. Where representation of a particular individual would constitute a conflict of interest under the Rules of Professional Responsibility or violate an individual's constitutional or statutory rights, the individual shall be represented by an attorney appointed by the Supreme Court.

43. The Micronesian Legal Services Corporation provides free legal counselling to people who face economic hardship. This entity was created by the Government of the United States of America and it is co-funded by the United States Government and Micronesian governments. Staff drive to the homes of persons with disabilities to ensure services are provided to them. This service does active outreach in Palau on general access to justice, gender-based violence and human trafficking, but not specific to persons with disabilities.

44. The Palau Constitution requires that any criminal prosecutor has a defender. There is no constitutional right to civil courts. The Court compound has elevators, wheelchair-accessible ramps and ambulatory-accessible restrooms.

45. The Ministry of Justice conducts broad campaigns aimed at promoting access to justice for all individuals. The approach focuses on ensuring universal access without singling out any specific group, including persons with disabilities.

46. When the Family Protection Act was enacted in 2012, the Court was mandated to implement a process, including the creation of forms and training of staff. This provides some level of reasonable accommodation to access courts. The Family Protection Act (Chapter 8) includes provisions for addressing cases of violence, exploitation, and abuse against persons with disabilities.

47. The Ministry of Justice, the Ministry of Health and Human Services and the Court are involved in identifying gaps in social protection services, recovery programs, and reintegration services. The Victims of Crime Assistance Office (VOCA) has been reinstated to provide counselling and advocacy services, particularly accessible to persons with disabilities.

Liberty and security of the person (art. 14)

48. Palau is committed to aligning its laws with the principles set forth in Article 14 of the Convention on the Rights of Persons with Disabilities (CRPD), particularly concerning

the repeal of legislation that permits the arbitrary deprivation of liberty. The Ministry of Justice is dedicated to fostering an environment where individuals with disabilities are treated with dignity and respect, ensuring their right to liberty and security is protected. This ministry has taken significant steps to ensure that individuals, especially those with disabilities, are treated with dignity and respect, with the following measures in place:

(a) **Management of Individuals in Custody:** The Ministry has established protocols for managing individuals in custody who exhibit signs of potential mental illness or who may pose a risk of self-harm. These protocols include isolating individuals from the general population and applying appropriate restraints, when necessary, always prioritizing their safety and well-being. Importantly, those who require medical attention will be provided care at the hospital based on the advice of qualified medical personnel. Officers have experience over the years, enabling them to identify specific signs that indicate when individuals may need assistance or when it is necessary to contact medical personnel for further evaluation. This approach reflects our commitment to ensuring that deprivation of liberty is carried out only when absolutely necessary and with full consideration of individual rights;

(b) **Duty of Care Regulations:** The regulations governing the duty of care within correctional facilities underscore the obligation of correctional officers to ensure the well-being of all detainees, particularly those with disabilities. This includes providing appropriate mental health support, closely monitoring individuals who may be at risk, and ensuring that their rights are upheld throughout their detention. Officers are experienced in recognizing the unique needs of persons with disabilities and addressing them appropriately, fostering an environment that respects their dignity;

(c) **Reform of Legislation:** In recognition of the need for reform, the Ministry of Justice is actively reviewing and amending legislation that allows for the arbitrary deprivation of liberty, especially concerning individuals with disabilities. The goal is to eliminate any legal provisions that may lead to unjust detention and to ensure that all individuals are treated fairly under the law. Through these efforts, Palau aims to align its laws and practices with the principles of the CRPD, particularly regarding the repeal of legislation that allows for the arbitrary deprivation of liberty.

49. The Ministry of Justice has a process in place to manage individuals in custody who exhibit signs of potential mental illness or who may pose a risk of self-harm. This includes measures such as isolating them from the general population and applying appropriate restraints to ensure their safety and well-being.

50. In 2023, the Judicial System incorporated the Disability Questionnaire Form into the Petition for Protective Order. It is a miniature version of the Washington Shorts, and while it needs to be updated, it provides a first step toward acknowledging the importance of providing access to justice.

Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)

51. Palau's legal framework demonstrates a strong commitment to human rights and the prevention of torture through specific legislative measures. The Palau statute on Criminal Procedure includes several grounds for objecting to extradition, including provisions that protect individuals from facing torture, cruel, or inhumane treatment or punishment. This legislative provision ensures that no person can be extradited to a country where there is a substantial risk of such treatment, in alignment with international human rights standards.

52. Offenders found guilty of endangering the welfare of a vulnerable individual can face up to one year in prison, a fine of up to \$1,000, or both. While the punishment reflects an acknowledgement of the seriousness of the offense, it might not be stringent enough to deter all potential perpetrators or adequately protect disabled persons from harm.

Freedom from exploitation, violence and abuse (art. 16)

53. Palau is committed to safeguarding the rights of persons with disabilities from violence and exploitation, as outlined in Article 16 of the Convention on the Rights of Persons

with Disabilities (CRPD). Palau has implemented various laws and social programs tailored specifically to achieve this goal:

(a) **Legal Protections Against Violence:** Palau has established a robust legal framework that explicitly protects individuals from violence and abuse, including those with disabilities. Current laws prohibit acts of violence and provide mechanisms for reporting and prosecuting offenders. Efforts are ongoing to refine legal language, removing terms like “incompetent persons” to promote respect and dignity;

(b) **Victims of Crime Advocacy:** The Victims of Crime Advocate plays a crucial role in ensuring that all victims, including persons with disabilities, receive comprehensive support. This includes access to shelter, counselling, and legal assistance tailored to their specific needs, ensuring that they are not neglected or marginalized.

54. Social programs for awareness and support, data collection and outreach efforts, and healthcare and accessibility initiatives all contribute to creating a protective environment for persons with disabilities, ensuring their freedom from violence and abuse. The government remains committed to continuous improvement in these areas, fulfilling its obligations under Article 16 of the CRPD and promoting the well-being and dignity of all citizens.

55. In March 2022, the Victims of Crimes Office was reopened, and it is now part of the Ministry of Health and Human Services. The services are fully accessible to persons with disabilities.

Protecting the integrity of the person (art. 17)

56. Palau recognizes the fundamental right of individuals, including those with disabilities, to give informed consent for medical procedures. Legislation mandates that healthcare providers ensure that patients fully understand the nature, purpose, risks, and benefits of any medical treatment or intervention. Patients are provided with information in accessible formats and are encouraged to ask questions to ensure their understanding. This process is critical to safeguarding the autonomy and decision-making rights of persons with disabilities.

57. Palau has implemented legal measures aimed at protecting the integrity of all individuals, with particular attention to women and girls with disabilities. This includes laws that criminalize all forms of violence, abuse, and exploitation, ensuring that women and girls are safeguarded against gender-based violence and other harmful practices. Specialized support services are available for women and girls with disabilities who are victims of violence. These services include access to shelters, counselling, and legal assistance, ensuring that their integrity is respected and protected.

Liberty of movement and nationality (art. 18)

58. The Constitution of Palau, in its article IV, on fundamental rights, includes provisions that protect citizens of Palau from forms of exploitation, violence and abuse. Section 6 establishes that the government shall take no action to deprive any person of life, liberty, or property without due process of law nor shall private property be taken except for a recognized public use and for just compensation in money or in kind.

59. In the purpose for the adoption of the “Seventy-Two (72) hour Detention and Evaluation Act”, “The Olbiil Era Kelulau finds that cases arise which necessitate emergency action to help mentally ill persons who have become a danger to themselves or others. The purpose of this legislation is to provide a non-judicial procedure to help mentally ill persons receive evaluation and treatment while safeguarding their constitutional rights to liberty and due process within a therapeutic context while protecting public safety. If after seventy-two (72) hours, a mentally ill person is in need of further treatment, involuntary detention would require a court order where appropriate”.

60. Migrants with disabilities can access services if they are going through the process of law.

Living independently and being included in the community (art. 19)

61. A project done in partnership with the Palau National Olympic Committee – Special Olympics Program raised awareness about bullying, helping the community understand its negative consequences and encouraging them to take action. Through education and sport, students feel empowered to stand up against bullying, creating a culture of empathy, respect and inclusion within the schools and community. Addressing bullying contributes to improved mental health and well-being of students, fostering a positive atmosphere.

62. There is currently an ongoing initiative to build another access ramp at the Airai State side park. It will use the same access audit toolkit used before for the Ngermalk Access Ramp.

63. The Disability Unit under Public Health provides transportation services for persons with disability that allows participation of the community such as grocery shopping and going to the bank. A Home Health program under Public Health allows patients, including those with disabilities, access to healthcare services from Belau National Hospital. The Rehabilitation Services Department in Belau National Hospital conducts access audits and home assessments in order to give recommendations for modifying a patient's living environment in order to promote independent living and a safe home. Rehabilitation Practitioners teach exercises at the patients home to allow them to learn how to properly perform exercises at home with readily available equipment in their own homes.

Personal mobility (art. 20)

64. Standard Assistive devices for mobility, such as walkers, crutches, canes, and wheelchairs, are available through the Ministry of Health & Human Services, Rehabilitation Services Department. While staff are trained and can provide wheelchair assessments, prescriptions, and patient fitting, there are no established wheelchair service providers or vendors locally to provide the comprehensive support needed for procurement. Moreover, specialized wheelchairs are procured from overseas or donated.

65. Prosthetic and orthotic services are limited; the Rehabilitation Services Department can provide pre-prosthetic screening and preparation, such as mobility and strength training, stump care, and pre-prosthetic fitting with measurements through synthetic mold fabrication. Clients who are prescribed prosthetic limbs or special orthotics are referred off-island to countries like the Philippines and Taiwan. Hearing aids are available through the Belau National Hospital and Belau Medical Clinic, often funded by international donors. Currently, no vision devices or services are available in Palau. White canes have been prescribed through support and assistance from Fiji during regional visits by blind persons. The Special Education Office is training one staff member in Braille, with previous training on tactile graphics provided in 2015.

66. National legislation (§ 3038) mandates that national government buildings be accessible to individuals with disabilities. It requires designated parking spaces, wheelchair-accessible facilities, and ramps. A plan for accessibility improvements, including funding opportunities, is required to be presented to the legislature.

67. The Bureau of Public Safety issues parking emblems for eligible individuals with disabilities. Unauthorized parking in these spaces incurs fines, supporting accessible parking enforcement. There's no accessible public transportation. As of now, there's only one accessible van for the government, at the Division of Human Services, Bureau of Public Health and Human Services. It's only used by the clients and patients of the Division and/or Rehabilitation Department by request.

68. The Rehabilitation Department of the Ministry of Health and Social Services receives referrals for assistive devices. In these cases, patients are trained in using assistive devices, including wheelchairs, canes, walkers and hearing aids. Training also includes caregivers and/or parents if needed. Training on the mobility and orientation for blind people has been conducted by OMEKESANG. For example, in 2020, OMEKESANG conducted a training for 3 participants who, by the end of the activity, received white canes specially suited to fit their needs.

Freedom of expression and opinion, and access to information (art. 21)

69. The Government Media called “Eco-Paradise/Ngerel Belau 87.9 Radio Station” operates under the Ministry of State and provides free and official information to all people including persons with disabilities. The Media is accessible through radio transmission, television and social media. Currently, the Station employs a person with a visual disability as a station announcer; furthermore, the challenges faced by persons with disabilities are taken into account in the radio programs. The media plays an important role when conveying and disseminating government communications.

70. There’s an Information Communication and Technology policy in place that would ensure further accessibility to mass media for persons with disabilities. Endorsement of the Presidential Executive Order to formalize the working group to implement the policy is still pending.

Respect for privacy (art. 22)

71. The judiciary understands the sensitive nature of abuse and has taken steps to ensure confidentiality, i.e. a separate interview room for obtaining statements for petitions for protection. In line with this, the Court can accommodate requests for witness testimony through virtual proceedings.

Respect for home and the family (art. 23)

72. Article IV, §13 of the Palau Constitution guarantees marital rights and parental responsibilities based on equality, mutual consent, and cooperation between men and women. This foundational principle supports the repeal of any restrictions limiting the marriage rights of persons with disabilities. Recognizing these rights aligns with ensuring all individuals, regardless of ability, are granted equal opportunities to marry and form families.

73. The Constitution emphasizes equality in marital and parental roles, indicating that all individuals, including persons with disabilities, should have their rights as parents respected and supported. Public Health initiatives also play a key role by providing post-natal care to families, including those with disabilities, ensuring parental support and facilitating parenting duties where needed. This approach ensures that parenthood is respected and assisted, regardless of disability status.

74. Palauan law underscores the duty of the government and family to support minors, which includes children with disabilities. Health services and family support structures are in place to provide assistance. Public Health, together with partners, assists new mothers through home visits, monitoring both the mother and child during critical postnatal stages. This support extends to families of children with disabilities, reinforcing care and development within the family unit and, in cases of severe disability, ensuring that family members or caregivers step in to fulfil parenting responsibilities.

Education (art. 24)

75. During the COVID-19 pandemic, there was remote learning. The Ministry of Education provided technology (i.e., tablets) for students to use at home for individualized or one-on-one virtual learning support. Educators conducted live sessions via learning platforms like Zoom and Google Meet to deliver live sessions. Features like screen readers, captions, and text-to-speech tools were integrated to accommodate students with visual or auditory impairments. Teachers utilized Google Classroom to manage assignments and resources. They incorporated multimedia resources, and interactive videos to keep students engaged while being online. On the other hand, Individualized Education Program meetings were held virtually to keep students’ education plans updated. These plans were modified to ensure that goals could still be met remotely, taking into account the limitations and possibilities of at-home learning special education services were adapted to a virtual format, often through one-on-one video sessions, phone calls, or customized learning materials delivered to students’ homes. Teachers were trained on how to use online platforms and how to modify instructional strategies for students with disabilities. Special education teachers also received specific training to support remote learning and to use assistive technologies.

76. Palau Community College strictly imposes non-discriminatory policies that ensure all students, regardless of their abilities, have the opportunity to pursue higher education. These policies are designed to accommodate students' needs, whether in terms of physical access to campus facilities or support services in the classroom. PCC offers programs that align with the post-secondary goals of students with disabilities. They implement accommodations from IEPs such as extended time on exams, alternative testing formats, and accessible course materials. This ensures that students with disabilities have an equitable learning environment. Palau Community College works towards making its campus physically accessible to students with disabilities by improving infrastructure, such as ramps, elevators, and accessible bathrooms. The state and the college ensure that buildings, classrooms, and common areas meet accessibility standards.

77. There are:

- 1 Sign language trained teacher;
- 22 assistive technology trained teachers.

78. Number of children outside inclusive education. Inclusive education is adopted:

- 28 students-significant needs that require 1:1 support (Life Skills Program);
- These students receive a Certificate of Completion in their senior year.

79. Schools adopt clear policies that specifically address violence and bullying against students with disabilities. These policies are defined in the blue book and specifically address bullying and harassment, outline consequences for such behaviour, and detail the steps that will be taken to respond to incidents. Including all learners with disabilities in school programs. Schools implement programs for students that promote understanding and empathy toward peers with disabilities. Activities such as awareness and anti-bullying campaigns allow students to recognize the harm of bullying and the importance of inclusion. Moreover, campus security, teachers, and staff are monitoring during passing periods, recess, lunch, and after school programs to ensure the safety of the students. The school also invites guest speakers to the school campus to address issues of bullying. Counsellors help mediate any behaviour issues which include potential bullying.

80. MHHS, MOE, and MOJ are partnering for the prevention of bullying in schools against children with intellectual disabilities. A project was piloted in one of the elementary schools.

Health (art. 25)

81. There are ongoing services on health rights, including sexual and reproductive health for women and young girls with disabilities.

82. Currently, there is a plan to work with the National Health Insurance to provide a "package" suited for persons with disabilities, which would include access to assistive technology and transport services.

83. Renovations at the hospital and community health clinics have contributed to making them accessible. These include the marking of accessible parking spaces. Measures for accessibility of health facilities. Since 2022, the Ministry of Health and Human Services has adopted a policy of allowing for transportation and meals for persons with disabilities.

84. The Ministry of Health and Human Services issues a "disability card" that gives persons with disabilities and older persons the right to access free consultation, treatments and medication. Since 2016, an alcohol and tobacco excise tax was put into effect to cover the cost of healthcare for persons with disabilities.

85. Free informed consent in medical procedures is required for anyone.

86. The Palauan National Olympic Committee conducted a campaign to stop bullying against children with intellectual disabilities in central schools.

Habilitation and rehabilitation (art. 26)

87. Currently, the Division of Ancillary Services under the Ministry of Health and Human Services includes only the provision of wheelchairs for persons with mobility disabilities such as the Rehabilitation Program that includes assistive technologies.

Work and employment (art. 27)

88. Prohibition of Employment Discrimination (§ 3034) states that employers are prohibited from discriminating against qualified individuals with disabilities in hiring, employment terms, and other conditions.

89. Exceptions (§ 3035), The Disabled Persons Anti-Discrimination Act acknowledges situations where certain qualifications are necessary for business operations. Employers may set occupational qualifications that are essential for specific roles, and they may refuse employment if an individual's disability prevents them from performing essential job duties.

90. Cause of Action (§ 3036) mentions that individuals who face discrimination can seek remedies, including compensatory and punitive damages, through the courts.

91. Government Employment Preference (§ 3037) shows that Palau's executive agencies must provide preferential employment opportunities for individuals with disabilities, ensuring non-discrimination in public service positions that are safe for them to undertake.

92. Efforts to support and promote self-employment or provide opportunities for persons with disabilities to become entrepreneurs as well if they are able to use their assets and/or skills to create or enhance their livelihoods. My bigger point is inclusivity and equity must apply to all.

Adequate standard of living and social protection (art. 28)

93. Subnational governments have about 13 persons with disabilities employed, and these subnational governments promote equal opportunities to them. The national government has approximately 5 staff that are persons with disabilities out of approximately 2000 staff force.

94. The Palau Severely Disabled Assistance Fund was increased on 1 June 2024 by 50 US Dollars. Its benefit currently amounts to 250 US Dollars per month for homebound beneficiaries, i.e., individuals with a severe physical, mental or emotional disability who require 24-hour care and supervision by a secondary person; and 200 US Dollars for wheelchair-bound, i.e., individuals with severe physical, mental and/or emotional disability that requires or need a wheelchair for purpose of moving from one place to another; and also 200 US Dollars for the blind individual who has been diagnosed as clinically and/or legally (20/200 OU and not correctable). Currently, 374 individuals receive these benefits.

95. There are various social protection programs targeting the vulnerable population and low-income families.

Participation in political and public life (art. 29)

96. Persons with disabilities are only restricted to voting in case a court finds a person with disability as not having the capacity to vote based on a medical assessment.

97. Before the election, persons with disabilities can request for a confined vote. The Election Commission ensures reasonable accommodation to persons with disabilities so that they enjoy equal access to freely and independently exercise the right to vote, for example, by bringing ballots to the place designated by the person with disability. Blind persons can appoint persons of their trust to assist them in filling the ballot, provided that the witness person has no say on the choice of vote of the person with disabilities.

98. Very few voting places are accessible. As mentioned, persons with disabilities can request for a confined vote.

99. Persons with disabilities are free to be considered in public leadership positions. They are free to express and discuss their interests in leadership and decision-making processes.

Participation in cultural life, recreation, leisure and sport (art. 30)

100. The mission of the Bureau of Cultural and Historical Preservation (BCHP), under the Ministry of Human Resources, Culture, Tourism and Development, is to protect and preserve the historical and cultural resources of the Republic of Palau for both present and future generations. This is done by conducting archaeological surveys, promoting site registration, restoration (rehabilitation) of sites, and implementing oral history and ethnography documentation to ensure that opportunities for education and enjoyment of Palau's cultural heritage are available for everyone.

101. The Bureau, also known as the Palau Historic Preservation Office, was created in 1978 and is mandated under Title 19, Chapter 1 of the Palau National Code (PNC) to ensure the preservation of Palau's historic and cultural heritage. To meet this responsibility, the BCHP is divided into five working sections, each engaged in a specific aspect of historic and cultural preservation. The focus of these working sections includes (1) the administration of overall BCHP operations; (2) the survey and inventory of cultural, historical, and archaeological sites and historic clearance review process; (3) the nomination, registration, and restoration of sites; (4) public education and outreach; (5) implementation of events to ensure the preservation and transmission of Palau intangible cultural heritage.

102. Persons with disabilities can participate in public activities. The organizers of such activities invite them to join their events or even participate in their committee planning and decision-making processes.

103. Accessible cultural places, theatres, and recreational, leisure and sporting facilities. Some public cultural sites, parks, and sports facilities are accessible to the public, but efforts are underway to make these spaces even more inclusive, ensuring they are fully accessible to everyone.

104. Participation in Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled.

C. Specific obligations (arts. 31–33)**Statistics and data collection (art. 31)**

105. Please refer to results from the 2015 and 2020 censuses using the Washington Group. See attached.

106. The data is disaggregated based on the Usual Residence, Residence in Koror Hamlets, Legal Residence, Age, Place of Birth, Labor Force and Ethnicity.

107. Upon request from entities, the National Statistics Office provides data directly or guides them to access the relevant information on our website.

108. To access the data, please refer to the link: <https://www.palagov.pw/executive-branch/ministries/finance/budgetandplanning/census-of-population-and-housing/>.

International cooperation (art. 32)

109. Persons with disabilities have participated in dialogues between the Ministry of Health with international partners, including the Governments of Australia, Japan, Fiji and the Territory of Guam, on assistive devices, rehabilitation program, accessible tourism and mapping of persons with persons for preparedness and response to disasters.

National implementation and monitoring (art. 33)

110. The Ministry of Health and Human Services, Bureau of Public Health and Human Services is the Government Disability Focal Point for the CRPD implementation. The Bureau also has the Division of Human Services that houses the Disability Unit.

111. RPPL 11-36 establishes a Coordinating Committee on Persons with Disabilities to develop a comprehensive national policy and creates an Office of Persons with Disabilities to ensure its implementation, monitoring, and reporting. This inclusive law is locally funded,

reflecting Palau's commitment to enhancing the rights and inclusion of persons with disabilities.

112. Palau doesn't have an independent monitoring mechanism, or the National Human Rights Institution. However, the Ministry of State is the government's focal point on human rights.

113. OMEKESANG, an organization of persons with disabilities is one of the members of the above-mentioned Committee.

III. Conclusion

114. While Palau has made commendable progress in fostering inclusivity and is dedicated to safeguarding the rights of persons with disabilities, continued cooperation with relevant stakeholders and organizations remains essential. Through these collaborative efforts, Palau has the opportunity to not only meet but exceed international standards, thereby fostering a more inclusive and rights-driven environment for persons with disabilities. The journey toward an improved legal framework aligned with international disability rights standards requires persistent commitment, cooperation, and an unwavering dedication to equity and inclusivity.

115. Palau is looking forward to the benefits it will derive from its cooperation with the Committee on the Rights of Persons with Disabilities, particularly with regard to best practices for the exercise of those rights.
