



# Convention on the Rights of Persons with Disabilities

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## Committee on the Rights of Persons with Disabilities Thirty-second session

### Summary record (partial)\* of the 773rd meeting

Held at the Palais des Nations, Geneva, on Thursday, 13 March 2025, at 10 a.m.

*Chair:* Ms. Kim Mi Yeon

## Contents

Consideration of reports submitted by Parties to the Convention under article 35 (*continued*)

*Initial report of Palau (continued)*

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\* No summary record was prepared for the rest of the meeting.

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*The meeting was called to order at 10 a.m.*

**Consideration of reports submitted by Parties to the Convention under article 35**  
(continued)

*Initial report of Palau (continued)* (CRPD/C/PLW/1; CRPD/C/PLW/Q/1;  
CRPD/C/PLW/RQ/1)

*Articles 10–20*

1. **Ms. Dondovdorj** (Country Task Force), said that she wished to know whether the State Party had reviewed national legislation relating to situations of risk and humanitarian emergency, including the National Disaster Risk Management Framework (2016–2030), in order to incorporate provisions on accessibility and the safety and protection of persons with disabilities. If not, she would like to know when such a review would take place.
2. **A representative of Palau** said that a review of such legislation had not yet been conducted. However, reviews of regulations and policies were carried out periodically, usually following a disaster, to identify gaps in the whole process from emergency preparedness to disaster reduction and response. The National Emergency Management Office was governed by the National Emergency Committee, whose membership comprised all government agencies as well as representatives of civil society organizations such as the Palau Red Cross. The Committee coordinated all emergency preparedness and disaster response activities. Once the President declared a national emergency, the relevant authorities were given access to the necessary government resources and the authority to commandeer accommodation and any equipment or vehicles that were needed for the response. A legislative review would be conducted to identify whether any provisions needed to be amended to address the specific needs of persons with disabilities before, during and after disasters.
3. **Ms. Dondovdorj** said that she would appreciate information on whether early warning mechanisms and emergency alerts were accessible for persons with disabilities, including blind persons and persons with hearing impairments.
4. **A representative of Palau** said that the Government worked with the Red Cross, OMEKESANG, a prominent organization of persons with disabilities, and Palau Parents Empowered, an organization of parents of children with disabilities, and involved them actively in drills and tabletop exercises. The advantage of having such a small population was that the authorities were able to identify persons individually and had a database on the specific needs of persons with disabilities, such as transport, medication and nutritional needs, in each of the communities. That knowledge was incorporated into exercises and drills to ensure that Red Cross Disaster Action Teams and first responders were familiar with the needs of the people in the communities to which they were assigned, thus facilitating evacuation activities. The Ministry of Health and Human Services had employed community health workers to assist during disasters to ensure that everyone had equal access to shelters. Databases were kept regularly updated, and any changes in people's location or condition were recorded.
5. **Ms. Dondovdorj** said that she would be interested to know whether there was a mechanism to ensure the meaningful participation, on an ongoing basis, of persons with disabilities, through their representative organizations, in the planning and implementation of disaster risk preparedness and emergency response plans and programmes.
6. **A representative of Palau** said that persons with disabilities did indeed participate in such efforts. The main organization of persons with disabilities and the organization of parents of children with disabilities were both represented in the Palau Healthcare Coalition, which organized various activities such as simulation exercises and preparedness awareness campaigns.
7. **Ms. Dondovdorj** asked whether the participation of persons with disabilities in emergency preparedness and response activities was guaranteed by law.
8. **A representative of Palau** said that the Palau Healthcare Coalition had been established by executive order of the President and was required to include persons with

disabilities in all planning exercises. The National Emergency Committee had been established by law and its membership must include a representative of a civil society organization.

9. **Ms. Dondovdorj** said that, as there was reportedly no representative of persons with disabilities in the National Emergency Committee, she wished to know whether there were any plans to include one.

10. **A representative of Palau** said that the National Emergency Committee was activated during declared emergencies. Currently, the only civil society organization represented on the Committee was the Red Cross, and thus far it had not been considered necessary to expand the membership. Instead, the focus was on incorporating the feedback and input provided by organizations of persons with disabilities through the Palau Healthcare Coalition during the planning and training phases. Nonetheless, upon its return to the capital, the delegation would raise the question of whether a representative of the disability community should be included in the National Emergency Committee.

11. **Ms. Dondovdorj**, noting that many activities, such as the ongoing mapping of persons with disabilities and the training of rescue and emergency personnel on disability-inclusive responses, relied on funding from external sources, said that it would be interesting to know what was being done to ensure the sustainability of financing and the allocation of sufficient budgetary resources in that area.

12. **A representative of Palau** said that, under the current system, external funding was often sought for emergency training, planning and exercises, while local revenue was prioritized for emergency response. The allocation of resources was always a balancing act.

13. **Ms. Dondovdorj**, noting that article 7 of the Constitution, the Family Protection Act and other laws provided for the restriction of the legal capacity of persons with disabilities and for the use of guardianship, said that she wished to know whether there were any plans to end the guardianship regime and to introduce supported decision-making for persons with disabilities.

14. **A representative of Palau** said that the Government was aware that the law on guardianship was not in line with the Convention and was making efforts to remedy the situation. The relevant ministries, including the Ministry of Health and Human Services, the Ministry of Justice and the Ministry of Education, worked together to ensure that appropriate policies, procedures and systems were coordinated. Provisions on guardianship would be included in the forthcoming legislative review; work would begin promptly on drafting the necessary amendments, which it was hoped would be ready for consideration within 12 to 24 months.

15. **Ms. Dondovdorj** said that she would appreciate data on the number of persons with disabilities currently under guardianship and the number of persons who had appealed a guardianship decision and had the exercise of their legal capacity restored.

16. **A representative of Palau** said that those data were not currently available. That indicator would be captured as data collection improved.

17. **Ms. Fefoame** (Country Task Force) said that persons with disabilities, particularly persons with psychosocial disabilities, reportedly faced significant barriers in obtaining access to justice. She would therefore be interested to know what measures the State Party was taking to review all relevant criminal legislation, including the Palau National Code, to ensure compliance with the Convention and guarantee due process for all persons with disabilities, particularly persons with psychosocial disabilities.

18. **A representative of Palau** said that a full and systematic review of legislation to ensure compliance with the Convention and access to justice and due process for persons with disabilities was long overdue. Such a review would begin promptly following the delegation's return to the capital.

19. **Ms. Fefoame** said that she would be interested to hear about the procedural accommodations available in judicial and administrative proceedings for persons with disabilities, including women, persons with intellectual and/or psychosocial disabilities and persons who were deaf, hard of hearing or deafblind, and the measures taken to provide

information in accessible formats and to ensure the physical accessibility of court buildings and all judicial and administrative facilities.

20. **A representative of Palau** said that none of the country's courtrooms were currently accessible to persons with disabilities. Steps would thus be taken to rapidly identify which buildings could be retrofitted to allow for equal access to justice for persons with disabilities.

21. **Ms. Fefoame** asked what immediate action could be taken to ensure the accessibility of information in formats including sign language, Easy Read and plain language.

22. **A representative of Palau** said that the Government would need to prepare a comprehensive proposal on improving the accessibility of the justice system, including on the need to equip courtrooms with audiovisual aids. It would be necessary to collaborate with regional partners in Micronesia to assess the feasibility of sharing experts in speech and language pathology.

23. **Ms. Fefoame** said that she would like to know whether regular monitoring had been conducted to ensure that persons with psychosocial and/or intellectual disabilities were not subjected to arbitrary or forced treatment, particularly treatment that resulted in confinement. If so, she would welcome details of the most recent monitoring results and the measures taken to improve the situation.

24. **A representative of Palau** said that persons with psychosocial conditions involved in criminal investigations were not confined with the general prison population in Koror. Instead, they were placed in the facility of the Ministry of Health and Human Services, where the Division of Behavioral Health Services was responsible for their care, which included an assessment by resident psychiatrists. Monitoring was conducted by the Ministry, which worked closely with law enforcement to ensure the protection of persons with psychosocial conditions for the duration of their confinement. A review would be conducted to ensure that existing protocols were being properly followed.

25. Information on recent monitoring results would be submitted in writing. Although every person with a psychosocial disability was monitored while in confinement, further efforts were needed to ensure that monitoring continued once they had left the facility.

26. **Ms. Fefoame** said that she would like to obtain data on the number of persons with disabilities deprived of their liberty, disaggregated by age, gender and type of disability. She wondered whether those individuals were provided with reasonable accommodation as required by the Convention.

27. **A representative of Palau** said that there was still a cultural expectation that families would care for older persons and relatives with disabilities. It could therefore be difficult for the Government to step in to provide care. For example, there had been significant community resistance to the idea of building the transition facility, which had been designed to provide temporary accommodation for individuals who had been discharged from hospital but lacked caregivers at home or a place to return to.

28. **Ms. Dondovdorj** said that she would like to know how the State Party ensured that the services offered by the Victims of Crime Assistance Office were fully accessible to persons with disabilities, whether sign language interpretation and reasonable accommodation could be provided and whether information about those services was disseminated in accessible formats.

29. **A representative of Palau** said that the Victims of Crime Advocate ensured that all persons with disabilities had full access to the services provided by the Victims of Crime Assistance Office. External partners, such as non-governmental organizations (NGOs), the Ministry of Justice and the judiciary also provided support to guarantee the accessibility of services.

30. **A representative of Palau** said that the provision of sign language interpretation was a major challenge in Palau. In collaboration with the Ministry of Education, efforts were under way to bring in a speech and language pathologist who could provide training to teachers, first responders, healthcare professionals and individuals involved in the victims of crime assistance programme. In the few instances where a victim had required sign language interpretation, virtual interpretation had been organized with ad hoc partners. However, a

formalized process needed to be developed to ensure that sign language interpretation was consistently available.

31. **Ms. Dondovdorpj** said that, as the Family Protection Act did not appear to be fully inclusive of persons with disabilities, she would be curious to learn whether the State Party had implemented any targeted strategies or plans to ensure that all persons with disabilities, particularly women, were free from all forms of violence, exploitation and abuse.

32. **A representative of Palau** said that her own experience as a victim of violence had highlighted the need to strengthen the Family Protection Act, in particular through the inclusion of specific provisions for the protection of women and girls with disabilities. Amendments to the Act would be discussed in the upcoming legislative review.

33. **Ms. Dondovdorpj** said that she would be grateful if the delegation could provide information on existing legislation to protect persons with disabilities from being subjected to treatment, including forced sterilization and abortion, without their free and informed consent. Was a mechanism in place to monitor such practices?

34. **A representative of Palau** said that, although there had been cases in which persons with disabilities had been subjected to medical treatment without their consent, such cases were extremely rare. Existing legislation did not specifically address the issue and a review would be carried out to determine whether further legal provisions were necessary to ensure the integrity, health and safety of persons with disabilities. Abortion was illegal in Palau, except in cases where a doctor determined that there was a threat to the life of the mother or the child.

35. **Ms. Dondovdorpj** said that she wished to know how many persons with disabilities were living in institutions, including mental health hospitals, and whether the State Party had implemented any measures to facilitate independent living for persons with disabilities, such as the provision of support services in the community and personal assistance.

36. **A representative of Palau** said that a project had been launched during the coronavirus disease (COVID-19) pandemic to improve the accessibility of homes for elderly residents. The project's aim was to assess and adapt homes for independent living, and its findings would be applied to the homes of persons with disabilities to better accommodate their needs.

37. Only individuals with mental health issues were confined in the mental health facility of the Ministry of Health and Human Services. He was not aware of any cases in which persons with other types of disabilities had been admitted to that facility. In most cases, persons with disabilities who required admission to hospital were treated alongside the general hospital population. Data on the number of persons with disabilities living in institutions would be submitted in writing.

38. **Ms. Dondovdorpj** said that she would like to learn more about the State Party's plans to monitor the situation of persons with disabilities living in institutions and to facilitate their deinstitutionalization.

39. **A representative of Palau** said that the project to promote independent living among older persons and persons with disabilities included an assessment of each individual's need for wraparound services, such as home care and counselling. To date, the project had reached 50 households, and it would eventually be rolled out nationwide.

40. **Ms. Dondovdorpj** said that she would welcome further details on the measures implemented to ensure that persons with disabilities had access to high-quality and affordable assistive devices, and on any tax exemptions in place for equipment imported into Palau.

41. **A representative of Palau** said that the needs of persons with disabilities for assistive devices and equipment were assessed on a case-by-case basis, primarily due to cost considerations. Most assistive devices were imported, purchased or donated. There were currently no tax exemptions for such equipment unless it was donated. One of the main challenges was equipment maintenance and the availability of spare parts, which were often costly or not readily available. The Office of Persons with Disabilities would be responsible for assessing the need for assistive devices and either procuring additional equipment in advance or maintaining the existing case-by-case approach.

42. **Ms. Dondovdorj** said that she would like to know what measures had been taken to eliminate seclusion, physical, chemical and mechanical restraints and other forms of ill-treatment in all settings.

43. **A representative of Palau** said that there had not been a need to develop specific measures to protect persons with disabilities against ill-treatment and torture owing to the strong cultural values in Palau. Laws were not necessary for citizens to understand that they should not inflict pain on others, especially persons with disabilities and older persons. He was not aware of any recent cases of torture or extreme ill-treatment involving persons with disabilities. However, the situation would be reviewed, and, if necessary, specific protocols would be established to address the issue.

44. **Ms. Dondovdorj** said that she would be interested to know whether the State Party engaged in any monitoring activities with regard to torture or ill-treatment of persons with disabilities. If so, she would be glad to learn of the results. She also wondered whether the State Party planned to ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

45. **A representative of Palau** said that his delegation would meet with United Nations representatives on 14 March 2025 to discuss ratification of the Convention against Torture.

46. There was currently no systematic monitoring of torture. Instead, individual cases handled by the police or in the context of emergency interventions were examined to detect possible torture or ill-treatment. Given the low number of reported cases, proactive monitoring was deemed unnecessary, but the Government would review its practices in the light of the Committee's concerns.

47. **Ms. Dondovdorj** said that monitoring was essential to gain insight, regardless of the number of reported cases. She wished to know whether there was a complaint mechanism specific to torture and ill-treatment that was accessible for persons with disabilities. If so, perhaps the delegation could provide data on the number of complaints received to date.

48. **A representative of Palau** said that instead of a complaint mechanism, there were various points of contact where acts or risk of torture or ill-treatment could be identified and reported. Staff performing school health screenings, for example, routinely screened children for signs of ill-treatment. The Victims of Crime Assistance Office could also receive and investigate complaints of torture or ill-treatment. The greatest challenge, however, was the result of the persistent stigma and taboo around disability. Awareness-raising therefore included measures to build trust and encourage victims and witnesses to report.

*The meeting was suspended at 11.15 a.m. and resumed at 11.25 a.m.*

49. **Ms. Jacobs** said that she wondered how the State Party made sure that the legal safeguards for persons with disabilities in detention provided under the Seventy-Two (72) hour Detention and Evaluation Act were implemented in practice. She was particularly interested in measures taken to ensure adequate support and reasonable and procedural accommodation for persons with intellectual and/or psychosocial disabilities and for migrants with disabilities.

50. It would be useful to know whether any steps had been taken to grant citizenship to stateless children with disabilities so that they could have access to the necessary social services on an equal basis with others. She also wished to find out whether the State Party intended to amend its legislation to enable stateless long-term residents with disabilities who were well integrated into society but lacked parental ties to the country to apply for citizenship.

51. **Ms. Placencia Porrero** said that she was curious to know whether any measures were being taken to make mainstream services disability inclusive. Did the Government engage in awareness-raising in that regard or provide resources to upgrade the accessibility of public spaces, for example?

52. Given the importance of accessibility and assistive technology, she wondered whether the Government held consultations with persons with disabilities, local or regional assistive technology experts and other stakeholders to discuss matters relating to availability, affordability, training and support. Since resource constraints seemed to be a major concern,

it would be interesting to know whether the State Party had contemplated making accessibility and assistive technology a priority in development cooperation programmes.

53. **Ms. Gamio Ríos** said that she would be grateful if the delegation could clarify whether or not the State Party had specific legislation on the prohibition of torture and ill-treatment.

54. With regard to the State Party's assertion that prison officers were experienced in recognizing the unique needs of persons with disabilities and addressing them appropriately, she wished to know who provided training to prison officers, how many officers had been trained, and whether any follow-up was given to ensure that the lessons learned were implemented in practice.

55. She wondered how the State Party ascertained that the information on informed consent to medical procedures that was provided to patients with disabilities was truly understood. The delegation might indicate whether any surveys had been carried out to that end.

56. The transition centre mentioned by the delegation was a traditional institution. However, it would be preferable to redirect resources towards decent housing and community support for persons with disabilities. In that connection she would be interested to know whether the State Party had taken any measures to implement the Committee's guidelines on deinstitutionalization, including in emergencies.

57. **Mr. Corporán Lorenzo** said that he wished to know whether the State Party pursued any particular strategy to facilitate independent living and inclusion, which could have a transformative impact in terms of autonomy and mutual support for persons with disabilities.

58. **A representative of Palau** said that the 72-hour legal limit on non-judicial detention was not always respected. Instead, the period of detention was often determined on a case-by-case basis, in consultation with the Attorney General and a psychiatrist. The problem had been identified and would be addressed in the course of the forthcoming legislative review.

59. A bill that would allow stateless children, including children with disabilities, adopted by citizens of Palau to obtain travel documents had been submitted to the National Congress. There were no data on the number of migrant children with disabilities residing in Palau, but they were granted access to the same public services as children who were citizens.

60. While mainstream services had yet to be retrofitted for accessibility, given the small size of the population the Division of Human Services was able to provide transport to public services on request. Once the current cycle was completed, the scope of the Asian Development Bank project to address the needs of poor and vulnerable groups affected by COVID-19 would be expanded to include improvements to community-based services for persons with disabilities.

61. In order to procure assistive technology, the Government relied on partnerships with local and regional NGOs. The authorities were also discussing options for expanding coverage to include the cost of assistive technology with national health insurance providers.

62. Legislation on the prevention of torture and ill-treatment was in place but not monitored proactively. When a case was identified, legal action ensued.

63. Law enforcement officers were not trained in mental health first aid but assisted by counsellors or psychiatrists on request. The Victims of Crime Assistance Office deployed responders in accordance with the needs of the individuals involved in the reported incident. Plans to provide specific training to law enforcement officers were in the pipeline.

64. Persons with disabilities seeking medical attention at a clinic or medical centre were typically assigned a nurse or counsellor who assisted them throughout the process. Issues around informed consent and accessibility of relevant information only arose in the context of surgery or more sensitive procedures, in which case relatives and the attending physician were consulted.

65. The transition centre provided temporary housing for persons who were released from hospital but had nowhere to go. It was not exclusively for persons with disabilities. Efforts

to provide long-term community-based housing solutions were currently focused on consolidating resources and identifying overlaps to address the common needs of older persons and persons with disabilities. However, government intervention remained contentious because in the culture of Palau, families continued to be considered the principal caregivers and providers for persons in need.

66. **Ms. Dondovdorj** said that it would be useful to know how the State Party ensured that persons with disabilities were well informed about how to prevent, recognize and report violations, exploitation and abuse, and about the right to complain and obtain redress.

67. **A representative of Palau** said that the Victims of Crime Assistance Office was designed as a one-stop focal point competent to receive reports, collect data, including on cases involving persons with disabilities, and provide information to victims and the general public. Resources from different agencies, including the Ministry of Health and Human Services, law enforcement, the Attorney General and the Anti-Human Trafficking Unit, were consolidated to deliver integrated services.

*The discussion covered in the summary record ended at 11.50 a.m.*