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REPUBLIC OF NAURU

**Full version of the Responses to the 3rd Cycle UPR Recommendations**

**PART A. INTRODUCTION**

1. The Republic of Nauru (“the Republic”) received 156 recommendations made by Member States of the Human Rights Council at the 37th Session of the Universal Periodic Review out of which **132 are ACCEPTED** and **24 are NOTED**.

**PART B. RESPONSES TO THE UPR RECOMMENDATIONS**

**Ratification and Accession to International Conventions and Treaties**

1. The following recommendations are in relation to the ratification and accession of core human rights treaties and conventions and other relevant instruments. The Republic accepts 36 recommendations and notes 2 under this cluster.
2. **Recommendation 99.1**

**Recommending States: India**

Consider accession to the core international human rights treaties, including the *International Covenant on Economic, Social and Cultural Rights (ICESCR)*.

**Status: ACCEPTED**

**Comments:** The Republic accepts this recommendation and reiterates the need for financial, administrative and technical support in its accession domestication and implementation.

1. **Recommendation 99.2, 99.4, 99.12, 99.14, 99.19, 99.24, 99.29, 99.37**

**Recommending States: Maldives, Nepal, Switzerland, Islamic Republic of Iran, Vanuatu, Germany, Australia and Luxembourg**

Continue to take the necessary actions to ratify the *International Covenant on Civil and Political Rights (ICCPR)*, and the *International Covenant on Economic, Social and Cultural Rights (ICESCR).*

**Status: ACCEPTED**

**Comments:** *ICCPR* was signed in November 2001 and moves to ratify are in progress. The Republic will require support in the implementation of Convention.

1. **Recommendation 99.3, 99.9, 99.20, 99.32**

**Recommending States: Montenegro, Senegal, Argentina, Honduras**

Ratify the *International Convention for the Protection of all Persons from Enforced Disappearance (ICCPED)*.

**Status: ACCEPTED**

**Comments:** It must be noted that this is not an urgent necessity as it is a non-issue for the Republic.

1. **Recommendation 99.5, 99.34**

**Recommending States: New Zealand, Iceland**

Ratify the *International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)*, the *International Covenant on Civil and Political Rights (ICCPR)*, and the *International Covenant on Economic Social and Cultural Rights (ICESCR)*.

**Status: ACCEPTED**

**Comments:** As previously stated, technical and financial assistance from international and regional bodies will be required for the domestication and implementation of ICESCR and ICCPR. ICERD will require the same.

1. **Recommendation 99.6**

**Recommending State: Philippines**

Consider the ratification of core international human rights instruments, including the *International Covenant on Civil and Political Rights* *(ICCPR)*, the *International Covenant on Economic Social and Cultural Rights* *(ICESCR)*, the *International Convention on the Elimination of All Forms of Racial Discrimination* *(ICERD)*, the *International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families* *(CMW)*, the *International Covenant on Civil and Political Rights* *(ICCPR)* and the *Optional Protocol to the Convention on the Rights of the Child* *on the involvement of children in armed conflict (OP-CRC-AC)*

**Status: ACCEPTED**

**Comments:**  In accepting this recommendation assistance is welcomed by the Republic in acceding and implementing the Protocols and Conventions.

1. **Recommendation 99.7**

**Recommending State: Philippines**

Continue to seek capacity-building assistance, guidance, and technical support from the United Nations and regional partners to fulfil its human rights obligations.

**Status: ACCEPTED**

**Comments:** The Republic is keen to engage the assistance and guidance of the United Nations and regional partners to fulfil its human rights obligations.

1. **Recommendation 99.8, 99.17**

**Recommending States: Russian Federation, United States of America**

Ratify the *International Convention on the Elimination of All Forms of Racial Discrimination* *(ICERD)* and the *International Covenant on Civil and Political Rights* *(ICCPR)*.

**Status: ACCEPTED**

**Comments:** As stated in paragraph 2**iv**.

1. **Recommendation 99.10**

**Recommending States: Slovenia**

Ratify the *International Covenant on Civil and Political Rights* *(ICCPR)* and the *Optional Protocol to the Convention on the Rights of the Child* *on the involvement of children in armed conflict (OP-CRC-AC)*.

**Status: ACCEPTED**

**Comments:** The Republic signed *ICCPR* and *OP-CRC-AC* in November 2001. Naturally the next step will be to ratify. It must be noted that the Republic is not a military state.

1. **Recommendation 99.11**

**Recommending States: Spain**

Ratify the *1951 Convention relating to the Status of Refugees and its 1967 Protocol*.

**Status: ACCEPTED**

**Comments:** As indicated in *paragraph 40* of the *3rd Cycle UPR National Report of the Republic of Nauru,* the *1951 Convention relating to the Status of Refugees and its 1967 Protocol* was ratified by the Republic on 17 June 2011.

1. **Recommendation 99.13**

**Recommending State: Timor-Leste**

Step up engagement with the United Nations treaty bodies.

**Status: ACCEPTED**

**Comments:** The Republic is putting in place appropriate mechanisms to ease the communication with United Nations treaty bodies as well as catalyse treaty reporting processes. One of which is the Permanent Mission of the Republic of Nauru in Geneva.

1. **Recommendation 99.15, 99.18**

**Recommending states: Ukraine, Uruguay**

Ratify the remaining core international human rights treaties and their Optional Protocols and other international conventions.

**Status: NOTED**

**Comments:** This recommendation is too general and vague as it broadly refers to a non-specified range of conventions by including in its intervention *‘…and other international conventions’*. The Republic will not ratify conventions that do not suit the needs and issues of the country. However, it must be taken into account that it may require international assistance for implementation and domestication of several treaties that may pose risks due to limited human and financial capacity.

1. **Recommendation 99.16**

**Recommending states: United Kingdom of Great Britain and Northern Ireland**

Adopt an open, merit-based process when selecting national candidates for UN Treaty Body elections

**Status: ACCEPTED**

**Comments:** This is a practice that must be adopted by every member state of the United Nations.

1. **Recommendation 99.21**

**Recommending state: Armenia**

Ratify the *Convention on the Prevention and Punishment of the Crime of Genocide* *(CPPCG)*.

**Status: ACCEPTED**

**Comments:** The Republic accepted this recommendation in the 2nd cycle and is yet to ratify.

1. **Recommendation 99.22, 99.26, 99.30**

**Recommending states: Armenia, Finland, Honduras**

Ratify the *International Covenant on Economic, Social and Cultural Rights* *(ICESCR)*.

**Status: ACCEPTED**

**Comments:** As stated in paragraph 2**ii**, 2**iv** and 2**vii**.

1. **Recommendation 99.23, 99.25**

**Recommending state: Armenia, Chile**

Ratify *International Covenant on Civil and Political Rights (ICCPR).*

**Status: ACCEPTED**

**Comments:** As stated in 2**ii**, 2**iv** and2**vii.**

1. **Recommendation 99.27**

**Recommending states: Finland**

Ratify the Optional Protocols to the *Convention on the Rights of the Child (CRC).*

**Status: ACCEPTED**

**Comments:** The principle convention was ratified in 1994. The *Optional Protocol for the Involvement of Children in Armed Conflict (OP-CRC-AC)* and the *Second Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography (OP-CRC-SC)* were signed by the Republic in November 2001. The *Optional Protocol on a Communications Procedure (OP-CRC-CP)* has not been signed.

1. **Recommendation 99.28**

**Recommending states: France**

Ratify the *International Covenant on Civil and Political Rights (ICCPR)* and its optional protocol aiming at the abolition of the death penalty as well as the *International Covenant on Economic, Social and Cultural Rights (ICESCR)*.

**Status: ACCEPTED**

**Comments:** The abolition of the death penalty was one of the constitutional provisions proposed for removal from the *Constitution of Nauru* *(CN)* by the 2012 Constitutional Referendum which was not successful. Government policies are in place for the non-inclusion of the death penalty in national legislations until a time where it is practicable to attempt another referendum of the same.

1. **Recommendation 99.31**

**Recommending states: Honduras**

Sign and ratify the *Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty*.

**Status: ACCEPTED**

**Comments:** As stated in 2**xvii**.

1. **Recommendation 99.33**

**Recommending states: Honduras**

Sign and ratify the *International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW).*

**Comments:** This recommendation was accepted in the 2nd Cycle UPR and is yet to be ratified.

1. **Recommendation 99.35**

**Recommending states: Italy**

Consider acceding to the main international instruments on human rights, starting from ratifying the *International Covenant on Civil and Political Rights (ICCPR)*.

**Status: ACCEPTED**

**Comments:** As commented upon in 2**ii**, 2**iv**, 2**vii** and 2**xiv**.

1. **Recommendation 99.36**

**Recommending states: Lesotho**

Ratify the *International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW)* and the *International Convention for the Protection of All Persons from Enforced Disappearance (ICCPED)*.

**Status: ACCEPTED**

**Comments:** Enforced disappearance is a criminal offence in *Section 267(2)(i)* of the *Crimes Act 2016*. The Republic will ratify in due course.

1. **Recommendation 99.38**

**Recommending states: Luxembourg**

Facilitate the visits of United Nations bodies aimed at monitoring the situation of asylum seekers and refugees transferred to the country.

**Status: ACCEPTED**

**Comments:** There is a standing invitation for UN bodies such as special rapporteurs or working groups that wish to visit the Republic for any purpose subject to the abidance of national laws and regulations.

**National Human Rights Framework**

1. The following recommendations are in relation to the establishment of a national human rights institution (NHRI) in the Republic. To avoid repetition of comments, it is best to state at the outset that a scoping mission for the establishment of an NHRI was conducted in 2017 and in 2020 the National Human Rights Commission Bill was drafted and it is awaiting finalisation from key stakeholders.
2. **Recommendation 99.39, 99.40, 99.44, 99.46, 99.48, 99.50, 99.51, 99.52, 99.53**

**Recommending states: India, Malaysia, Senegal, Ukraine, Australia, Chile, France, Germany, Luxembourg**

Consider establishing a national human rights institution in accordance with the Paris Principles.

**Status: ACCEPTED**

**Comments:** NIL

1. **Recommendation 99.41, 99.42**

**Recommending states: Morocco, Indonesia**

Consolidate the progress achieved by creating a national institution for the promotion of human rights, in accordance with the Paris Principles.

**Status: ACCEPTED**

**Comments:** As stated in paragraph 3.

1. **Recommendation 99.43**

**Recommending states: Russian Federation**

Continue to take targeted steps to improve national legislation in terms of observing human rights and freedoms.

**Status: ACCEPTED**

**Comments:** The Republic is making progress in improving its national law in order to implement human rights obligations and it will continue to do so.

1. **Recommendation 99.45**

**Recommending states: Serbia**

Establish a national human rights body which would, inter alia, monitor the implementation of UN human rights conventions.

**Status: ACCEPTED**

**Comments:** The national monitoring, implementing, reporting and follow up (NMIRF) mechanism for the Republic is the Working Group on Treaties (WGT). Please refer to paragraph 60 of the National Report.

1. **Recommendation 99.47**

**Recommending states: Uruguay**

Ensure the full incorporation in its legal system of obligations emanating from human rights treaties to which the country is already party to, requesting assistance to OHCHR.

**Status: ACCEPTED**

**Comments:** As stated in **xxv**.

1. **Recommendation 99.49**

**Recommending states: Bahamas**

Advance efforts toward adoption of the draft Human Rights Commission Bill which seeks to provide for the establishment of a National Human Rights Commission.

**Status: ACCEPTED**

**Comments:** This is accepted without further consideration as the Republic is awaiting finalisation of this Bill.

**Equality and Non-discrimination**

1. The Republic received 8 proposed recommendations on equality and non-discrimination to which it reinforces its support. It gives assurance that its legislative framework reflects verily on the principles of human rights. However, it must be noted that the Republic does not recognize same sex marriage or partnership nor does it accept any other identification of sexual orientation and gender identity. The recommendations were considered accordingly.
2. **Recommendation 99.54**

**Recommending states: Spain**

Adopt a law prohibiting discrimination on the grounds of sexual orientation and gender identity.

**Status: NOTED**

**Comments:** Refer to paragraph 5.

1. **Recommendation 99.55**

**Recommending states: Islamic Republic of Iran**

Take necessary legislative and administrative measures in order to protect the rights of women and children and persons with disabilities.

**Status: ACCEPTED**

**Comments:** Excellent progress has been made in regards to this recommendation and the Republic will continue to apply efforts to this work.

1. **Recommendation 99.56**

**Recommending states: Bolivarian Republic of Venezuela**

Continue to strengthen its social programmes and policies, with special emphasis on the fields of education, health and food, prioritising the most -needy sectors of the population.

**Status: ACCEPTED**

**Comments:** The Republic will continue these efforts as proposed by this recommendation.

1. **Recommendation 99.57**

**Recommending states: Argentina**

Adopt the necessary measures to review its domestic legislation to ensure that discrimination in all its forms is prohibited and sanctioned, particularly on the basis of gender, sexual orientation and disability.

**Status: NOTED**

**Comments:** The Republic is continuing efforts to put in place gender-sensitized provisions in its national law. In regards to disability, a new Department of People with Disabilities as addressed in paragraph 141 of the National Report. Furthermore, as explained in paragraph 4, the Republic does not recognize other identifications of sexual orientation.

1. **Recommendation 99.58**

**Recommending state: Australia**

Take steps to formalise equitable access to all social benefits through regulation and policy.

**Status: ACCEPTED**

**Comments:** The new Department of Women’s Affairs and Social Development (DWASD) was created in 2020, where all applications to social benefits are accessed, handled and processed.

1. **Recommendation 99.59**

**Recommending states: Canada**

Prohibit discrimination in employment, including discrimination based on gender, disabilities and sexual orientation or gender identity.

**Status: NOTED**

**Comments:** Discrimination at workplaces is not an issue in the Republic. Refer to paragraph **5xxxii**.

1. **Recommendation 99.60**

**Recommending states: Iceland**

Adopt comprehensive anti-discrimination legislation that addresses direct and indirect discrimination and encompasses all the prohibited grounds of discrimination, including sexual orientation and gender identity.

**Status: NOTED**

**Comments:** As stated in **xxxiv** and paragraph 4.

1. **Recommendation 99.61**

**Recommending states: Iceland**

Pass and implement laws that would recognize same-sex partnerships and define the rights and obligations of co-habiting couples in same-sex unions.

**Status: NOTED**

**Comments:** Refer to paragraph 4 and previous comments in this section.

**Development, the Environment, and Business and Human Rights**

1. Climate Change is an issue of utmost relevance and importance for the Republic because of its catastrophic impact to the Pacific region. The Framework on Climate Change Resilience and Disaster Risk Reduction provides a useful tool and guideline for the work of environmental and climate change agencies in the Republic. The recommendations herein are generally accepted.
2. **Recommendation 99.62**

**Recommending states: Malaysia**

Continue to undertake robust measures to tackle climate change.

**Status: ACCEPTED**

**Comments:** NIL

1. **Recommendation 99.63**

**Recommending states: Maldives**

Ensure that all concerned authorities are provided with human, technical and financial resources necessary to implement the Climate Change Strategic Plan for Adaptation and Mitigation that will enhance the resilience and adaptability of the country.

**Status: ACCEPTED**

**Comments:** NIL

1. **Recommendation 99.64**

**Recommending states: Nepal**

Continue effective measures to mitigate the effects of climate change addressing the needs of vulnerable groups.

**Status: ACCEPTED**

**Comments:** NIL

1. **Recommendation 99.65**

**Recommending states: Pakistan**

Intensify its ongoing efforts to seek enhanced international finance and technology to mitigate loss and damage and to combat climate change meaningfully.

**Status: ACCEPTED**

**Comments:** International assistance in funding and technological resources will be sought.

1. **Recommendation 99.66**

**Recommending states: Russian Federation**

Continue its work to reduce poverty and develop the socio-economic sphere.

**Status: ACCEPTED**

**Comments:** NIL

1. **Recommendation 99.67**

**Recommending states: Timor-Leste**

Seek technical capacity development assistance from the United Nations as well as its international development partners.

**Status: ACCEPTED**

**Comments:** The assistance of the UN and the international development partners will be much appreciated.

1. **Recommendation 99.68**

**Recommending states: Islamic Republic of Iran**

Continue to make robust preparations to mitigate the likely negative impacts of climate change on the lives of Nauru citizens and their access to clean water.

**Status: ACCEPTED**

**Comments:** NIL

1. **Recommendation 99.69**

**Recommending states: Bahamas**

Accelerate efforts, by the Nauru Rehabilitation Corporation (NRC), to institute safer, habitable places for relocation of Nauruan’s living in high-risk zones, due to phosphate mining.

**Status: ACCEPTED**

**Comments:** Refer to paragraph 138 of the National Report.

1. **Recommendation 99.70**

**Recommending states: Barbados**

Seek assistance from regional and multilateral partners to support its efforts at climate change adaptation and disaster risk reduction.

**Status: ACCEPTED**

**Comments:** Assistance will be sought from relevant international and regional agencies.

1. **Recommendation 99.71**

**Recommending states: Cuba**

Continue in a comprehensive manner, to implement climate change adaptation measures, natural disasters response measures and health crisis management such as COVID-19, by prioritizing the protection of the most vulnerable sectors of the population.

**Status: ACCEPTED**

**Comments:** NIL

1. **Recommendation 99.72**

**Recommending states: Haiti**

Take specific and sustainable measures to combat the negative effects of climate change, in particular against the rise in sea level.

**Status: ACCEPTED**

**Comments:** Refer to paragraph 69 to 75 of the National Report.

**Right to Life, Liberty, and Security of Persons**

1. These recommendations are in relation to the abolition of the death penalty, right to freedom of persons and personal security.
2. **Recommendation 99.73**

**Recommending states: Netherlands**

Implement effective measures against domestic violence, including strengthening domestic violence laws and improving the handling of domestic violence cases by investing in training for local and national authorities to assist victims of domestic violence.

**Status: ACCEPTED**

**Comments:** The Republic is well underway with its efforts to strengthen its Domestic Violence laws. Capacity building of certain agencies within the victim support services is imperative.

1. **Recommendation 99.74**

**Recommending states: Switzerland**

Take additional measures to improve the conditions of detention in the Nauru Regional Detention Centre, with the short-term objective of fully closing the Centre and transferring the 211 refugees and asylum seekers still detained to a country where their rights will be respected and protected.

**Status: NOTED**

**Comments:** This recommendation is erroneous to the reality of lives of asylum seekers and refugees in the Republic. It is worded to condemn the Republic and thus shall not be accepted. There are no detention centres in the Republic as transferee accommodation are open centres and have been so since 2016.

1. **Recommendation 99.75, 99.76**

**Recommending states: Timor-leste, Ukraine**

Abolish the death penalty.

**Status: ACCEPTED**

**Comments:** The abolition of the death penalty was one of the constitutional provisions proposed for removal from the *Constitution of Nauru* *(CN)* by the 2012 Constitutional Referendum which was not successful. Refer to paragraph 130 of the National Report.

1. **Recommendation 99.77**

**Recommending states: Fiji**

Continue to take positive steps to eliminate corporal punishment in all settings, especially against children.

**Status: ACCEPTED**

**Comments:** NIL

1. **Recommendation 99.78**

**Recommending states: France**

Immediately and unconditionally release the parliamentarians and their supporters convicted of non-violent offenses related to the 2015 protests.

**Status: ACCEPTED**

**Comments:** This recommendation is redundant because the parliamentarians and other offenders from the 2015 protest have served their time after being found guilty of the violent offenses they were charged with.

**Administration of Justice**

1. These recommendations are in relation to the independence of the judiciary.
2. **Recommendation 99.79**

**Recommending states: Mexico**

Strengthen the independence of the judiciary and its governing bodies by adopting norms that guarantee an adequate process for the appointment, promotion and removal of its members.

**Status: ACCEPTED**

**Comments:** This recommendation has already been implemented.

1. **Recommendation 99.80, 99.83**

**Recommending states: Indonesia, France**

Continue to strengthen measures to ensure the independence of the judiciary branch.

**Status: ACCEPTED**

**Comments:** NIL

1. **Recommendation 99.81**

**Recommending states: Islamic Republic of Iran**

Strengthen the independence of the judiciary and of the governing bodies of the judiciary, including by ensuring the right of due process in line with international human rights standards.

**Status: ACCEPTED**

**Comments:** Refer to paragraph 50 to 52 of the National Report.

1. **Recommendation 99.82**

**Recommending states: Canada**

Take further steps to ensure that judges are free from any interference, pressure or undue influence in criminal proceedings.

**Status: ACCEPTED**

**Comments:** As stated in **lv**.

**Fundamental Freedoms and Right to Participate**

1. The Republic received 16 recommendations regarding freedom of expression and freedom of information. The Republic recognises the fundamental importance of freedom of expression and freedom of information. The issue relating to media personnel travelling to the Republic is adequately covered in the National Report, which is reiterated. Having said that, the Government’s information is now readily available on various forms of social media and also from the Government Information Office (GIO).
2. **Recommendation 99.84, 99.88, 99.95**

**Recommending states: Netherlands, United Kingdom of Great Britain and Northern Ireland, Germany**

Protect and uphold the right to free and independent media in Nauru, including by removing prohibitively high foreign journalist visa fees to enable foreign journalists to visit the country.

**Status: NOTED**

**Comments:** Refer back to paragraph 8.

1. **Recommendation 99.85, 99.98**

**Recommending states: New Zealand, Luxembourg**

Allow increased international media access by lowering visa fees for international journalists, to facilitate an important means to promote transparency and public access to information.

**Status: NOTED**

**Comments:** Refer to paragraph 9.

1. **Recommendation 99.86**

**Recommending states: Switzerland**

Remove or change its national immigration regulations to allow access to the country, including for foreign journalists, human rights defenders and NGOs.

**Status: ACCEPTED**

**Comments:** There are no sanctions against the entry of foreign journalists, human rights defenders and NGO’s from entering the Republic subject to adherence of immigration laws and fees.

1. **Recommendation 99.87, 99.91**

**Recommending states: Islamic Republic of Iran, Ireland**

Develop transparent nationwide legislations and administrative measures to promote the enjoyment of the right to freedom of expression and the right to access to information.

**Status: ACCEPTED**

**Comments:** Freedom of expression is a constitutional right provided for in *Part II* of the *Constitution of Nauru*.

1. **Recommendation 99.89**

**Recommending states: United States of America**

Reduce restrictions on the media in order to promote freedom of expression, and allow foreign journalists to operate without barriers.

**Status: NOTED**

**Comments:** Refer to paragraph 9.

1. **Recommendation 99.90**

**Recommending states: United States of America**

Increase government transparency by implementing a law on access to public information.

**Status: ACCEPTED**

**Comments:** This will be subject to the limitations set by the *Official Information Act 1975*.

1. **Recommendation 99.92, 99.99**

**Recommending state: Denmark, Luxembourg**

Repeal or amend the criminal defamation provisions of the Criminal Act of 2016, to ensure that it fully complies with international human rights law.

**Status: NOTED**

**Comments:** This provision was made for the context of the Republic whereby a proceeding of its kind cannot commence without the consent of the Director for Public Prosecutions. This will not be repealed.

1. **Recommendation 99.93**

**Recommending state: Fiji**

Continue to ensure full and meaningful participation of wide diverse groups including but not limited to women, children, persons with disabilities, elderly persons and indigenous and local communities in the implementation of its climate change and disaster risk reduction frameworks.

**Status: ACCEPTED**

**Comments:** This recommendation is being implemented.

1. **Recommendation 99.94**

**Recommending states: France**

Authorize local non-government media to resume their operations and stop internet and social media censorship.

**Status: ACCEPTED**

**Comments:** There are no local non-government media at current and there are no censorships or seizures of internet and social media usage.

1. **Recommendation 99.96**

**Recommending states: Germany**

Amend the Criminal Code to lift restrictions on the freedom of movement, freedom of assembly and freedom of expression.

**Status: NOTED**

**Comments:** There are no issues in relation to this recommendation.

1. **Recommendation 99.97**

**Recommending states: Iceland**

Protect and uphold the freedom of expression and peaceful assembly, including through respecting and upholding free and independent media, in line with international human rights standards.

**Status: ACCEPTED**

**Comments:** This recommendation will be subject to legal provisions of information restrictions that are codified by national law.

**Prohibition of all forms of Slavery**

1. Slavery is recognised as crime against humanity and related offences under *Part 14* of the *Crimes Act 2016*. Under *Division 14.1* it is identified as ‘dealing with person as a commodity’. It is also dealt with in Section 267(g) of the Act. Recommendations in relation hereto are generally accepted.
2. **Recommendation 99.100**

**Recommending state: Indonesia**

Strengthen its maritime policy aimed at respecting human rights in the maritime sector, including by abolishing slavery, human trafficking, and other human rights abuses in the seafood and fisheries sectors through bilateral and international cooperation.

**Status: ACCEPTED**

**Comments:** NIL

1. **Recommendation 99.101**

**Recommending states: United Kingdom of Great Britain and Northern Ireland**

Develop and implement a national action plan on human trafficking and modern slavery and allocate a fully-funded budget to the national action plan.

**Status: ACCEPTED**

**Comments:** This may need the engagement of technical assistance of experts from regional or international organization that work in this field.

**Family and Adequate Standard of Living**

1. **Recommendation 99.102**

**Recommending states: Russian Federation**

Provide separate targeted support to the institution of the family.

**Status: ACCEPTED**

**Comments:** There are a wide range of benefits available for almost each member of the family under the objective of the Department of Social Welfare Services.

1. **Recommendation 99.103**

**Recommending states: Haiti**

Support through economic and social policies, the institution of the family and the preservation of family values.

**Status: ACCEPTED**

**Comments:** As stated in **lxx**.

1. **Recommendation 99.104**

**Recommending states: Republic of Marshall Islands (RMI)**

Develop and implement a project to ensure sustainable access to drinking water for the entire population.

**Status: ACCEPTED**

**Comments:** The reverse osmosis desalination plant which is currently the fresh water provision system that the Republic is utilising has provided households with sufficient water supply even during times of drought as is the current situation. However, the Republic does not have natural fresh water reservoirs therefore other means of water supply is in the pipeline.

1. **Recommendation 99.105**

**Recommending state: Vanuatu**

Align its legislation to the right to an adequate standard of living, by promoting access to drinking water and sanitation for the whole population, in particular during recovery from natural disasters, when rights such as healthcare, food and life are most endangered.

**Status: ACCEPTED**

**Comments:** NIL

1. **Recommendation 99.106**

**Recommending states: Canada**

Enhance efforts to combat malnutrition by improving food security at local level and access to safe drinking water.

**Status: ACCEPTED**

**Comments:** NIL

1. **Recommendation 99.107**

**Recommending states: China**

Take effective measures to reduce poverty and to fulfil people’s basic needs.

**Status: ACCEPTED**

**Comments:** This is a priority in the Republic’s action plan known as the *Nauru Sustainable Development Strategy (NSDS)*. It is based on the *Sustainable Development Goals (SDG’s)* in particular SDG 1 – No Poverty.

**Right to Health**

1. 10 recommendations were proposed to the Republic in regards to sexual and reproductive health services along, rights of older persons during the COVID-19 pandemic, mental health, nutrition, general health services and health education.
2. The Republic is not pro-choice in regards to abortion. The Republic will take the necessary steps to improve its reproductive health-care services however it cannot support any efforts towards the realization of the free choice of abortion pursuant to what is already allowed by legislation.
3. In regards to sexuality education, the Republic has no issues. However, issues related to sexuality are matters which are covered by national laws or are matters of individual choice in certain circumstances.
4. Medecins Sans Frontier (MSF) initially worked in-country with those in need of mental health care including asylum seekers, refugees and local clients. The concern for the Republic is personnel becoming activists as opposed to carrying out their professional duties. It is encouraged that any future engagement of MSF will be for the purposes of providing assistance to the local people absolutely on a professional basis.
5. **Recommendation 99.108**

**Recommending states: Portugal**

Guarantee the access to sexual and reproductive health services and information for adolescents, and the adequate delivery of comprehensive sexuality education, in order to reduce the number of adolescent pregnancy in the country.

**Status: NOTED**

**Comments:** Refer to paragraph 11.

1. **Recommendation 99.109**

**Recommending states: Argentina**

Take all necessary measures to strengthen the promotion and protection of the human rights and dignity of older persons, particularly in the current situation of extreme vulnerability they face in the context of the COVID-19 pandemic.

**Status: ACCEPTED**

**Comment:** The COVID-19 legal framework and the operations that are guided by it have so far managed to prevent the entry of the virus into Nauru protecting every resident including the older persons.

1. **Recommendation 99.110**

**Recommending states: Canada**

Take measures, in cooperation with partners and qualified suppliers, to deliver health services to meet the mental health needs of Nauruans, refugees and asylum seekers.

**Status: ACCEPTED**

**Comments:** International Health and Medical Services (IHMS) has been sufficient and efficient in delivering health services and attending to mental health needs of refugees and asylum seekers. They are the current medical company that works with the Department of Multicultural Affairs in this area.

1. **Recommendation 99.111**

**Recommending states: Fiji**

Continue to strengthen efforts to improve access to health care services for all, including access to sexual and reproductive health-care services and information.

**Status: NOTED**

**Comments:** The Republic will take the necessary steps to improve its reproductive health-care services however it cannot support any efforts towards the realization of the choice to abortion or sexuality.

1. **Recommendation 99.112**

**Recommending states: Germany**

Immediately reinstate mental health services for refugees and asylum seekers as well as locals, provided by Médecins sans Frontières (MSF) and other qualified health providers.

**Status: NOTED**

**Comments:** Refer to paragraph 13.

1. **Recommendation 99.113**

**Recommending states: Haiti**

Take concrete and measurable steps necessary to promote more nutritious, diverse and healthy diets, as well as active lifestyles, including by improving food education.

**Status: ACCEPTED**

**Comments:** As stated in the National Report, the Republic has come a long way in working to remove itself from the top list of obese countries.

1. **Recommendations 99.114**

**Recommending states: India**

Continue with policy measures in furtherance of the right to education and gender equality.

**Status: ACCEPTED**

**Comments:** NIL

1. **Recommendation 99.115**

**Recommending states: Mexico**

Guarantee access for everyone to education; and sexual and reproductive health services.

**Status: NOTED**

**Comments:** As stated in **lxxix**.

1. **Recommendation 99.116, 99.117**

**Recommending states: Denmark, Fiji**

Provide comprehensive sexuality education as part of the school curriculum.

**Status: NOTED**

**Comments:** As stated in **lxxix**.

**Specific Group of Persons: Women**

1. There is more traction on the movement to improve women’s status in the Republic. These recommendations are generally accepted as the CEDAW Recommendation Implementation Plan was adopted in 2018 after the constructive dialogue occurred in 2017 after the submission of the *CEDAW Initial State Report of the Republic of Nauru.*
2. **Recommendation 99.118**

**Recommending states: Malaysia**

**Recommendation**

Continue efforts to promote and safeguard women’ rights and their wellbeing in the country including by ensuring access to mental health services for women.

**Status: ACCEPTED**

**Comments:** The Mental Health Strategic Plan is a new initiative that is under consultation for its final outcome. It is envisaged that it aims to put the needs of mental health care clients at the fore and the training of families to know how to deal with certain situations when they arise.

1. **Recommendation 99.119**

**Recommending states: Republic of Marshall Islands (RMI)**

Develop and implement legislation and policies to achieve gender equality and to prevent gender-based violence, including domestic violence against women.

**Status: ACCEPTED**

**Comments:** The implementation of this recommendation is already under way.

1. **Recommendation 99.120**

**Recommending states: Republic of Marshall Islands**

Provide women with benefits required under the Convention on the Elimination of All Forms of Discrimination against Women.

**Status: ACCEPTED**

**Comments:** The CEDAW Recommendation Implementation Plan is coordinated by the Department of Women’s Affairs and Social Development. Access to justice, EVAW and other issues are high on the priority list.

1. **Recommendation 99.121, 99.123, 99.125, 99.133, 99.134**

**Recommending states: Portugal, Ukraine, Barbados, Japan, Lesotho**

Take further steps to combat gender-based violence against women, in particular domestic violence, and to ensure victims’ adequate access to justice.

**Status: ACCEPTED**

**Comments:** With improved laws on DV and GBV in the *Crimes Act 2016* and the *Domestic Violence and Family Protection Act 2017* the statistics on reports in relation to the same have risen. The number of safety orders and protections orders have increased since then reflecting the fact that society are having more access to the system through awareness and civic education.

1. **Recommendation 99.122**

**Recommending states: Singapore**

Incorporate the adverse socio-economic impact of COVID-19 on women and girls in any revision of the National Action Plan for women and ensure that consultations for this revision be as inclusive as possible.

**Status: ACCEPTED**

**Comments:** The Department of Women’s Affairs and Social Development will be revising the National Action Plan for women and this recommendation will certainly be considered.

1. **Recommendation 99.124**

**Recommending states: Ireland**

Take all necessary steps to empower women to effectively participate at work in both the public and private sectors including through the adoption of legislation prohibiting sexual harassment in the workplace, the prohibition of discrimination on the grounds of pregnancy or marital status, and through ensuring the right to paid maternity and paternity leave and adequate sick leave.

**Status: ACCEPTED**

**Comments:** This recommendation is well accepted.

1. **Recommendation 99.126, 99.128**

**Recommending states: Brazil, Cuba**

Step up measures to promote gender equality and the participation of women in politics and government positions.

**Status: ACCEPTED**

**Comments:** This recommendation is accepted as is.

1. **Recommendation 99.127**

**Recommending states: China**

Remove all kinds of discrimination and violence against women.

**Status: ACCEPTED**

**Comments:** The Republic is progressing on EVAW and EDAW is well under way.

1. **Recommendation 99.129**

**Recommending states: Israel**

Continue to address gender-based violence by developing a National Action Plan to prevent violence against women.

**Status: ACCEPTED**

**Comments:** As stated in **lxxxix**.

1. **Recommendation 99.130**

**Recommending states: Israel**

Adopt specific legislation that prohibits all types of sexual harassment in the workplace.

**Status: ACCEPTED**

**Comments:** NIL

1. **Recommendation 99.131**

**Recommending states: Israel**

Take steps to increase the number of women and girls at all levels of education by analyzing and addressing the obstacles they face.

**Status: ACCEPTED**

**Comments:** NIL

1. **Recommendation 99.132**

**Recommending states: Italy**

Strengthen the efforts to fight violence against women and girls and promote women empowerment in all sectors.

**Status: ACCEPTED**

**Comments:** NIL

**Specific Persons or groups: Children**

1. **Recommendation 99.135**

**Recommending states: Mexico**

Prohibit corporal punishment in all contexts and repeal legal provisions still authorizing its use.

**Status: ACCEPTED**

**Comments:** NIL

1. **Recommendation 99.136**

**Recommending states: Morocco**

Strengthen children's access to education, especially young girls, who suffer from school dropouts and absenteeism

**Status: ACCEPTED**

**Comments:** This is incorporated in the CRC RIP that is being rolled out by the Child Protection Unit.

1. **Recommendation 99.137**

**Recommending states: Barbados**

Allocate budgets and other resources required to promote and protect children, particularly those in detention or living in poverty.

**Status: ACCEPTED**

**Comments:** There are no children in detention. Since the introduction of the CRC RIP budgetary allocation has been derived from the alcohol hypothecation import duty.

1. **Recommendation 99.138**

**Recommending states: Bulgaria**

Guarantee all children with disabilities, particularly girls, the right to inclusive education in mainstream schools and ensure the availability of qualified assistance to children with disabilities in those schools.

**Status: ACCEPTED**

**Comments:** This recommendation will require significant financial and expert assistance.

1. **Recommendation 99.139**

**Recommending states: Chile**

Expedite the implementation of a program and policy for the protection of children in line with the Convention on the Rights of the Child, improve data collection on violence against minors, and enact laws that explicitly prohibit corporal punishment of all children in all settings including in home.

**Status: ACCEPTED**

**Comments:** NIL

1. **Recommendation 99.140**

**Recommending states: Japan**

Establish measures to guarantee the protection of children from all forms of violence and abuse.

**Status: ACCEPTED**

**Comments:** NIL

**Specific persons or groups: Persons with Disabilities**

1. **Recommendation 99.141, 99.144**

**Recommending states: Montenegro, Bulgaria**

Ensure that all people with disabilities enjoy all the rights enshrined in the Convention on the Rights of Persons with Disabilities.

**Status: ACCEPTED**

**Comments:** NIL

1. **Recommendation 99.142**

**Recommending states: Singapore**

Work with its bilateral and international partners, as appropriate, including the UN Programme on Disability under the UN Department of Economic and Social Affairs, on technical cooperation and capacity building programmes to facilitate the full implementation of its Convention on the Rights of Persons with Disabilities obligations.

**Status: ACCEPTED**

**Comments:** NIL

1. **Recommendation 99.143**

**Recommending states: Bahamas**

Seek technical assistance and capacity-building support to further strengthen promotion and protection of the rights of persons with disabilities.

**Status: ACCEPTED**

**Comments:** NIL

**Specific persons or groups: Migrants, refugees, asylum seekers and IDP’s**

1. The Republic received 12 recommendations regarding the processing of refugees and asylum seekers at the Refugee Processing Centre, which were incidents covered by the 2016 National Report. The current National Report provides in detail the work that has already been undertaken by the RPC and the care taken by the Republic of all the transferees. The Republic plays an important role in irregular migration in the region.
2. **Recommendation 99.145**

**Recommending states: Mexico**

Guarantee to refugees and persons seeking international protection whose claim is being processed offshore, the right to be transferred to or resettled in, if they wish, a country they consider safe, the right to appeal decisions on their status, as well as access to health services, including mental health, for those remaining in the county.

**Status: ACCEPTED**

**Comments:** Already implemented.

1. **Recommendation 99.146, 99.149**

**Recommending states: New Zealand, Ukraine**

Continue efforts to ensure that asylum seekers, refugees and migrants are given all necessary protection and social support.

**Status: ACCEPTED**

**Comments:** Already implemented

1. **Recommendation 99.147**

**Recommending states: Philippines**

Sustain its efforts to ensure that the rights of refugees, particularly women and children, are upheld.

**Status: ACCEPTED**

**Comments:** Already implemented

1. **Recommendation 99.148**

**Recommending states: Spain**

Adopt effective measures to monitor, prevent, and investigate cases of abuses of unaccompanied minor migrants.

**Status: ACCEPTED**

**Comments:** NPF works closely with MCA through JIG to put in place such mechanisms.

1. **Recommendation 99.150**

**Recommending states: Uruguay**

Ensure compliance with the obligations pursuant to the 1951 Convention relating to the Status of Refugees, in particular with regard to the processing of refugee applications.

**Status: ACCEPTED**

**Comments:** NIL

1. **Recommendation 99.151**

**Recommending states: Brazil**

Strengthen human rights protection of refugees and asylum seekers, including through access to justice and health care.

**Status: ACCEPTED**

**Comments:** Implemented

1. **Recommendation 99.152**

**Recommending states: China**

Stop functioning of all off-shore immigrant detention facilities for third countries and stop violating the rights of migrants.

**Status: NOTED**

**Comments:** This recommendation suggests that the rights of migrants are being violated which is not the case.

1. **Recommendation 99.153**

**Recommending states: Italy**

Continue the on-going effort to adopt strategies aimed at substantially increasing the quality of life of asylum seekers and refugees hosted in the country.

**Status: ACCEPTED**

**Comments:** Implementation of this recommendation is already underway.

1. **Recommendation 99.154**

**Recommending states: Lesotho**

Continue to improve measures to safeguard the rights of refugees and asylum seekers and to raise public awareness of refugee and asylum seeker issues.

**Status: ACCEPTED**

**Comments: Implemented**

1. **Recommendation 99.155**

**Recommending states: Luxembourg**

End the detention of refugees or asylum seekers

**Status: ACCEPTED**

**Comments:** Implemented in 2016.

1. **Recommendation 99.156**

**Recommending states: Chile**

Introduce provisions in the Constitution to put an end to statelessness of abandoned minors and the loss or stripping of nationality.

**Status: ACCEPTED**

**Comments:** Implemented with the amendments of the Naoero Citizenship Act.

**PART C. CONCLUSION**

1. The recommendations which are ‘Noted’ are in relation to the following:
2. The reduction of visa fees for foreign journalist;
3. The introduction of sexuality education into the school curriculum;
4. Access to Sexual and Health Reproductive health rights;
5. Offensive recommendations that based on unfounded information especially in reference to abuse and violation of the rights of refugees, asylum seekers and migrants; and
6. Over-generalised recommendations that are not clear and may misrepresent the Republic’s will to accept.