Statement by the Federated States of Micronesia

On the Occasion of the

37th Session of the Universal Periodic Review Working Group

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Madame President

Distinguished Members of the UPR Working Group

Members of the Troika

Distinguish Delegates

Observers

Ladies and Gentlemen:

Warm Greetings of the New Year from our National Capital in Palikir! I take this opportunity to express my personal appreciation and gratitude, and convey officially my government’s full support, towards the Working Group for its important work of the Universal Periodic Review. I also extend my appreciation to the Troika for extending the review process and for the constructive engagement during this review.

Madame President,

As you assume the Presidency of this 37th Session of the Working Group of the UPR, I wish to recognize this historic occasion for Pacific Islanders, and express my congratulations.

This is the third time that the Federated States of Micronesia (FSM) has gone through the Universal Periodic Review, and I am very pleased to announce my Government’s continuing full support and genuine commitment to the success of the UPR. Our first review took place in 2010, and the last UPR review was in 2016. We have no illusion that this one is a simple task.

Madam President,

Despite the major challenges encountered in the drafting of the state report and organizing the national working group for the UPR while the world grapples with the COVID-19 pandemic, my Delegation joins this session with a constructive attitude to engage with the UPR Working Group, as a testament of Micronesia’s full commitment and support to the UPR.

Madame President,

The United Nations Universal Declaration of Human Rights., which states that “all human beings are born free and equal in dignity and rights; that everyone has the right to life, liberty, and security of person; all human beings are equal before the law, and are entitled without any discrimination to equal protection of the law.” This provision in the Universal Declaration of Human Rights is very special for us in Micronesia because it reflects upon the very fundamental value that we attach to human life. My government believes the Universal Declaration is as relevant today as it was in 1948. The people on our islands know this by heart for it is an essential aspect of our cultural values and practices. And, this value is enunciated in the Declaration of Rights in our Constitution that is respected by all the four State Governments, given that our national Constitution is considered as the fundamental law upon which actions of our National and State Governments are anchored.

Up until the 4th of January 2021, Micronesia has remained COVID-19 free. We have now recorded our very first case of COVID-19, an imported border case. Micronesia is doing its best in light of the very limited resources and capacities. Our leaders are optimistic that we survive this pandemic. Our COVID-19 free status, while it lasted, comes with critical sacrifices and self-imposed restrictions. Being surrounded by jurisdictions with threatening rise of COVID-19 cases, Micronesia was forced to temporarily close its national borders to foreign nationals in order to protect public health and safety, noting that our health care services are not fully equipped to deal with actual cases of the COVID-19. Incidentally, these temporary measures are also impacting upon our own citizens stranded in the neighboring islands awaiting their safe return home. The travel restrictions are crippling not only our citizens, but also our national and local economies being dependent on tourism and travels. Unless and until vaccines are widely available to our vulnerable population, there is little prospect of us getting back to normalcy, and it is a sad reality that people on our islands are faced with.

In the face of the pandemic, Micronesia is making incremental progress on human rights, through the protection and strengthening of the institutions that support human rights. And these areas are highlighted in this report.

Since our last UPR report, we have taken encouragement from the international community and we were also motivated to integrate aspects of the human rights principles into our own national and state policies and legislations. Today, state legislations were passed, in particular, Pohnpei State domestic violence law in 2017, and an age of consent law in 2019 for both the states of Pohnpei and Chuuk. Pohnpei State has also enacted its Law on Disabilities. The nation also enacted laws protecting the environment from litters and plastics.

Thanks to the support of our development partners in providing funds and technical assistance to our government. We are now also seeing progress in some of our states where, for instance, in the State of Pohnpei, the seat of our Federation, a 24 hour hotline or crisis line for victims and survivors of violence is being rolled out. In 2019, the Chuuk Women Council opened the Tongen Inepwinew Counseling Center which translates to “love of the family center”. Pohnpei State has also approved of a Gender Base Violence Standard Procedure for medical personnel, and the coaching of its Department of Social Affairs personnel in measures to end gender-based violence.

At the National level, we are embarking on a project entitled "Strengthening Micronesia's National Gender Machinery” to mainstream Gender in National and State Programs which will be carried out in all our four states. And for the first time, we have recently put in place a Coordinator for Violence Against Women. Furthermore, we completed at the end of 2019, the scoping of our National Human Rights Institution (NHRI). The NHRI final scoping report is now with the government for deliberation and to discuss the way forward on the recommendations. As in other countries due to the COVID-19 pandemic, our next steps which are for further consultations to include relevant stakeholders at the state levels are temporarily put on hold.

Madam President,

For us on the islands, human rights are about human survival. Apart from the ongoing threats of the COVID-19 pandemic, our islands face the existential threats of sea level rise and global warming. Whereas, human rights might sound an abstract philosophical concept, we concretize it through effective action towards environmental stewardship and protection. Micronesia was one of the first island states to actively pursue the phase down of hydro fluorocarbons from the atmosphere through the Kigali Amendment under the Montreal Protocol on Ozone Depleting Substances. Like our sister small island developing states, we are also among the first to subscribe to and join other supportive processes such as the Paris Agreement, which we believe are critically important to attaining our sustainable development and is beneficial to the attainment of our human rights.

Micronesia has made important strides to achieve human rights and the Sustainable Development Goals. Goal 16 of the Sustainable Development Goals is on peace, justice and strong institutions and addresses key human rights concerns. Human rights are cross cutting in all of the work that we do from addressing health, education, protection of children’s rights and welfare, emergency management, to employment and livelihood and so on.

Madam President,

The immediate future of our nation literally rests upon our youth. The measure of our success as a people as we seek to climb the development ladder during the next several decades will be determined by the quality of life we offer our children. Investments in children thus afford FSM the most effective vaccine against any long-term social and economic consequences of the pandemic

While Micronesia thankfully does not experience some of the scourges that afflict the wellbeing of children in other parts of the world, we are nevertheless very apprehensive concerning the potential effects of climate change and resultant sea-level rise on the future of our children. This phenomenon threatens the very existence of their homes, culture, and history.

As parents and as leaders of nations, we are bestowed with the awesome task of ensuring that we protect our children. As a nation, Micronesia has taken concrete steps to enshrine this protection in our laws, (FSM Code Title 41, Section 502) which protects children from child abuse, where “abuse” is defined as “any case in which a child exhibits evidence of skin bruising, bleeding, sexual molestation, burns, fracture of any bone, subdural hematoma, soft-tissue swelling, and such condition or death is not justifiably explained, or the history given concerning such condition or death is at variance with the degrees of type of such condition or death or the circumstances indicate that such condition or death may not be the product of an accidental occurrence”. This protects children from severe corporal punishment that can cause physical injury.

Madame President,

This present pandemic has taken its toll on our children’s education. Schools have been closed and children have no means of accessing online education.

The Internet and related technologies could be a tool of access for our children to better health care, and education. However, affordability to build the necessary infrastructure to bring the Internet and other telecommunications services to our children who are living, in many cases, in remote villages and islands without electricity is a constant challenge that we face as a developing country and a big oceanic state. My country appreciates the generous financial contributions from development partners towards narrowing the digital divide. We look forward to continuing our work with the international community as we address these emerging challenges.

Moreover, we must ensure that the Internet and other new technologies do not provide additional avenues for exploitation. We urge the active cooperation of all state parties to uphold the optional protocols to the Convention on the Rights of the Child, and also urge others that have yet to become a party to do so.

Madam President,

Micronesia’s commitment to human rights is implemented through public awareness campaigns, such as the FSM National Awareness Series Dialogue launched On UN Day, providing the opportunity to create awareness on Human Rights issues in the country. The series, with the assistance of the UN Joint Presence in our Capital, included several key awareness days, which led to the annual 16 Days of Activism Campaign. These days include International Day for the Elimination of Violence against women, World children’s day dialogues, world diabetes day outreach, and international volunteers’ day targeting the general population, authorities and Non Governmental Organizations.

We are very cognizant of the great role the UN development system plays in our sustainable development and international commitments including in the area of human rights. That is why Micronesia and its other sister nations of the North Pacific such as Kiribati, the Marshall Islands, Nauru and Palau, recognizing our highly dispersed islands and population, remained committed and seized with the matter of the opening of an on-the-ground presence of a UN multi-country office (MCO) for our North Pacific region with great urgency. The UN, through the MCO, will be better positioned to deliver the type of effective, efficient, coherent and impactful assistance our countries need and require in order for us to fully implement our commitments under the 2030 Sustainable Development Agenda, and can be of more assistance to help develop further a better foundation and protection for human rights, where necessary.

In preparing for this interactive dialogue with the UPR Working Group, Micronesia established a national UPR/Human Rights taskforce made up of key agencies, namely—Dept. of Foreign Affairs, Dept. of Health and Social Affairs, Dept. of Environment Climate Change & Emergency Management, Dept. of Education, Justice Dept, Dept. of Resources & Development (R&D), the Secretariat of the Pacific Community (SPC), and support from the FSM SDG Working Group. My Delegation attaches vital importance to the UPR process as a unique mechanism of the Human Rights Council aimed at evaluating the compliance of each of the 193 UN member states to their human rights obligations. As the UPR mechanism reviews the human rights situation of my country, we view this process as an opportunity not only to share best practices but also as an avenue to identify critical areas of cooperation and technical assistance.

Madam President,

We have key experiences in related Human Rights interactive dialogues, having reported on several human rights conventions including the Convention on the Rights of the Child, and CEDAW or the convention on the elimination of all forms of discrimination against women. In July 2020, FSM has also presented its initial voluntary national review report addressing the 2030 Sustainable Development Agenda. The International Convention on the Rights of Persons with Disability initial report is in its final review and ready to be submitted. We take this as an opportunity to expand further our experiences in those dialogues with a view towards inviting all our partners to provide us with the essential assistance towards a better implementation of the key recommendations from the Universal Periodic Review process.

I wish to highlight our calls from previous UPRs for needed and continued assistance from the UN system, development partners and the private sector to include in their strategies and policies assistance aimed towards developing and building our capacities to ensure that we are able to meet our commitments under these human rights instruments and in protecting and advancing the rights of our vulnerable communities. We continue to maintain the importance of these partnerships which are durable, genuine and based on mutual benefits are especially important. In that regard, we are counting on the international community’s full support and Micronesia urges the UN system and member states to contribute to the Voluntary Technical Assistant Trust Fund that support Least Developed Countries & Small Island Developing States in the work of Human Rights Council that has enabled many, including Micronesia, to participate in the meetings of the Human Rights Council and the UPR.

In closing, the Micronesian delegation earnestly looks forward to engaging constructively in the work of the Working Group during this session of our UPR.

Thank you, Madam President.