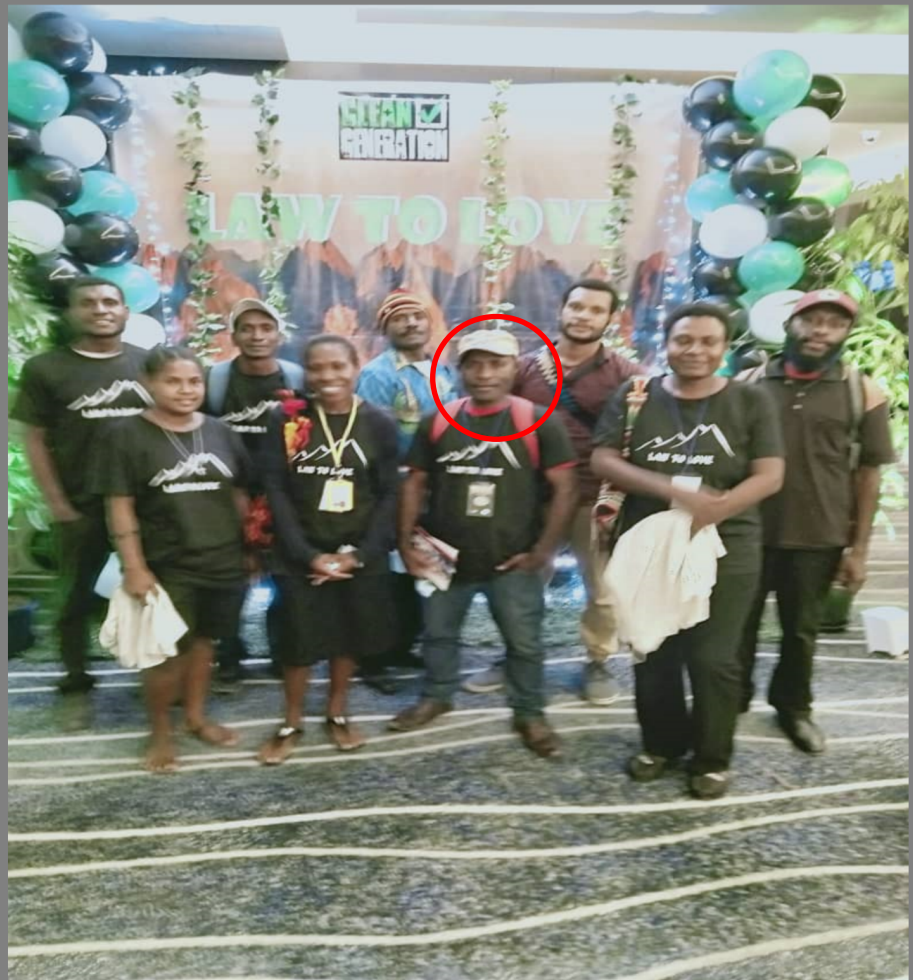


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SUBMISSION FOR UNIVERSAL PERIODIC REVIEW (UPR) ON PNG AND HUMAN RIGHTS



THREE (3) YEARS PRIVATE RESEARCH
STUDY ON DEPRIVATION OF HUMAN
RIGHTS IN FIVE (5) THERMATIC AREAS IN
PNG



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SUBMITTED TO: OHCHR UPR WORKING GROUP

SUBMITTED BY: JERRY KENDE – FRONTLINE HUMAN RIGHTS (HR) DEFENDER

23RD MARCH 2021

About the Author;



MR. JERRY KENDE

I am Jerry Kende from Enga Province, Papua New Guinea. I have lived in Port Moresby the Capital City of PNG for over 20 years.

I am a layman and human rights defender, who have been working on five (5) thematic areas mentioned in this submission at the National Level.

1. CHILDREN'S RIGHT

As a voluntary rights defender on the ground, I Jerry Kende have done research on children living in the central city of Papua New Guinea without a proper home, proper education and children who lives in the street's begging for cash and kind for survival means.

I am a member of **IGAT HOPE INC.** Who have working in collaboration with family support center and supporting children's act to promote children's right by health care and shelter.

There a about 45% children identified as orphans living in the street of Port Moresby surviving on begging people and street vending because some of this kids don't have a proper home as their parents died of AIDS or with other decease related case's . Other children have left home to live in the street that were poverty driven as their parents are unemployed with no steady income to support their family.

These children are traumatized, poor and homeless deprived off there fundamental right to education, health care etc..... Some churches in Port Moresby had collected few children and took care of them but many are still roaming the streets and sleeping near big department store waiting for the dawn of a new day to continue on their daily activities to survive which makes it an ongoing issue.

2. PEOPLE LIVING WITH HIV/AIDS (PLHIV)

As being a member of **IGAT HOPE INC.** and as an expert patient councilor in the filled of people living with HIV/AIDS (PLHIV) response unit we have being working in collaboration with the Australian Burnet Institute (ABI) to play important roles and responsibility in representing the PLHIV into educational counseling , group counseling , and one on one counseling . Apart from PLHIV, Papua New Guinea also suffers from a critical shortage of human resources for health workers.

Here are some highlights of the clinical setting of PLHIV and challenges in health system in PNG.

- The clinical setting in hospital and health centers in Port Moresby and throughout Papua New Guinea are too public and needs confinement of treatment for HIV and AIDS patients.
- The Confidentiality of the people living with HIV and AIDS must be prioritized to minimize ongoing trauma and stigma that needs immediate improvement as the settings of the hospital are very poor, which was implemented in the late 1960's and 1970's only to accommodate and gather the general public.

3. SORCERY ACCUSATION RELATED VIOLENCE (SARV)

SARV Is a Tribal Foundation PNG Program who works in collaboration with Clean Generation Campaign (CGC) and PNG Voice INC. as the member of Clean Generation Campaign and Voice INC; we have worked with Tribal Foundation to put an end to sorcery related violence. Many women in Papua New Guinea are targeted and accused of practicing sorcery; especially old women and young women who are barren, poor and are uneducated. These women are always living with fear and felt outcast from the people and their immediate family within the community.

They are often abused verbally; stoned, beaten with logs and burned to death. They are often tied with barbed wires onto the dry logs and are burned alive, while their children stand and watch as their mother being crucified and tortured to death. The very sad part of Sorcery Related Violence in PNG is that no one steps forward to save or defend the unfortunate old and young women who are being accused of practicing sorcery who are tortured and killed in the public while people spectate. This is a traumatic and very gross experience for children watching the mother being dragged like an animal and killed. It is a reality and the life testimony ever experiencing such inhuman brutal killing in PNG.

4. CYBER CRIME LAWS IMPACT ON POOR EOPLE

Cyber Crime Law was introduced and implemented in 2016 by the mandated leaders to observe the PNG citizens commentaries on the social media to make sure no defamatory publications against any parliamentarians and rich people. This cyber-crime law was not transparent and was not explained well to the citizens of Papua New Guinea. All we understand was that the Cyber Crime Law was created to protect the interest of the mandated leaders and for people with money and power to prevent them from being publicly humiliated by exposing their corrupt practices.

Papua New Guinean is currently listed as one of the 112th most corrupt countries in the world, these mandated leaders who fell in secured created this cyber-crime law that made me a victim as I tried to defend Youths involvement in developing our community which was given to the Asians instead of giving it back to the community youth group. And I was detained to speak up in 2020 and I went through court for resettlement but was postponed to dates until this year (2021) that is still pending in committal court.

5. YOUTH, RELIGION AND COMMUNITY DEVELOPMENT

Challenges of Poverty, High Cost of Living and unemployment face by youths in Papua New Guinea

Youths in Papua New Guinea are the very important group of people in our society. They need urgent attention from public services and relevant institution to guide them and involve them in every aspect of live economically, socially, culturally and politically. These youths are from different ethnicity who have dropped out from schools and some have never been to school. They are vulnerable and marginalized have missed out on participating in socio-economic livelihood. These distinct circumstances expose youths to different types of risks and level of impacts from development projects.

- I. Loss of Identity
- II. Loss of Culture
- III. Loss of customary livelihoods
- IV. Exposure to diseases

Many of our youths are still living below poverty line because Papua New Guinea is one of the highest cost of living in the world, regardless of our resources or how blessed this country is, the fact still remains that we are still poor, with poor living standards no proper access to clean water & sanitation & the list goes on.

Youths are frequently amongst the most marginalized and inerrable segments of the population. As a result the economic, social, cultural, political and legal status often limits their capacity to defend their interests and rights to education, own property and other productive resources and / or restrict their ability to participate in and benefit from development. This negligence drives them to participate in various criminal activities that degrade livelihoods and they are poverty driven to cause ongoing impact and increases socio-economic power imbalance in Papua New Guinea. There are institutions concerned with youth development programs in Papua New Guinea as churches and civil society organizations needs funds from the National Government to promote and protect the rights of youths through providing;

- a. Long term sustainable & personal development program
- b. Unplanned Pregnancy and Behavioral based Educational Workshop
- c. Provide Regeneration of income by engaging them in small grant/SME Program

These training and workshop would change the face of the country to produce a reliable and resourceful youth in contributing towards illuminating of crime and poverty in Papua New Guinea.

SUMMARY

In Papua New Guinea many middle income class citizens, there fortnight salary can't afford a decent life in Port Moresby, it may be worse for the low income class like security, cleaners, tea boys & girls, attendants etc., one can only imagine how they survive the daily high cost of living in the country, it

could be worse for the unemployed & rural people. The country is also one of the most highly income taxed country in the world with more than third of our salary is taxed through income taxes, value added tax & good & services tax, all in return for the poor living conditions. Many of our youths are still living in substandard conditions not fitting for human dignity

Corrupt & ineffective public services, lack of run down basic services etc. this simply means people are not at the center of all the development efforts by the government or there are no economic policy driving to transform the living standards & wellbeing of the people to give them the dignity they deserve in this country & to allow them to participate in the prosperity of this great nation.

Our previous Governments in power introduced in parliament a twenty-year corruption strategy, cited the following common corrupt acts by government officials and bureaucrats:

- Paying bribes to acquire preferential services
- Theft of public money and illegal acquisition of assets by abusing a position of authority;
- Breaching procurement processes;
- Conflict of interest in decision making;
- Nepotism resulting in the recruitment and retention of unqualified staff.

Because of prevalent corruption, and despite a budget surplus, the national wealth has failed to flow down to the people and Youths around the country.

If our Government is not serious about fighting corruption in PNG, our country will be a poor nation due to the absolute confusion and corruption of the government. The reason as to why such a great country with one of the highest GDP in Pacific Region with a massive oil & gas sector (mining) and strong agriculture background is now facing economy crisis this is because of the decades of corruption that has hit this country hard. The problem is mainly the government.

RECOMMENDATION

Final Recommendation for all the five (5) thematic areas

Therefore, I recommend the PNG Government;

1. Children's Rights

- I. I recommend the PNG Government to focus on children's rights issues by acting as a mother to establish a bottom-up level mechanism to protect and promote fundamental rights for children.
- II. The health care, safety and the rights of children must be treated urgently by the National Government through an established system.

2. PL HIV/AIDS

- I. To avoid stigma and trauma from public humiliation, the National Government must direct all medical centers to separate treatments for people living with HIV/AIDS and the publics.
- II. Medical supplies must be consistently supplied to hospitals throughout Papua New Guinea with sufficient stock for people living with HIV/AIDS.
- III. Reviewing current health worker distribution, redistributing workers by skill set, increasing skill mix, introducing incentive schemes, and ensuring clinical supervision in accordance with national health standards;

3. SARV I recommend;

- I. The domestic fundamental human rights law in section 35, section 36 and section 37 must be strengthened in the Human Rights tract court of justice throughout PNG court system from bottom-up by the National Government. To protect, respect, promote and fulfill the rights of people accused of sorcery act.
- II. The national government must create an action plan to integrate the SARV program into the Nation Wide education curriculum standard so that the next generation must be well informed and aware of false accusation and unlawful violence related issues and they will not practice such offence as SARV.

4. CYBER CRIME LAW IMPACTS

I recommend that;

- I. The PNG National Government must create an establishment comprises of National and International Independent Legal Advisors (ILA) to review and draft the ICAC (the whilst blower act) to have a fair and equal justification of rights for both parties and make referrals to be dealt with at the Nations human right tract court.

5. YOUTH, RELIGION AND COMMUNITY DEVELOPMENT

- I. The PNG National Government must establish a standard mechanism to fund churches and relevant Civil Society Organizations (CSO) in PNG To provide training, workshop on behavioral based education and provide employment through engage them in small grant projects or SME in PNG.
- II. I am recommending the Papua New Guinea national government to seriously address the unemployment issues in the country to addressing the living standard for its people, to help reduce the high cost of living in the country, to stimulate economic growth & diversify the economy potential of the country & to create investment opportunity & attract investment and to address the unemployment rate in the country.
- III. I recommend the PNG Government to see the current issues to work together to fight corruption in taking the fight against corruption to the highest global and political levels and improving their anti-corruption regulation and enforcement.
- IV. To come up with an Anti-Corruption Plan to prepare a draft strategy - covering preventative, coercive and awareness measures.