

Papua New Guinea

Mid-term Implementation Assessment



Promoting and strengthening
the Universal Periodic Review
<http://www.upr-info.org>



Introduction

1. Purpose of the follow-up programme

The second and subsequent cycles of the review should focus on, inter alia, the implementation of the accepted recommendations and the development of the human rights situation in the State under review.

A/HRC/RES/16/21, 12 April 2011 (Annex I C § 6)

The Universal Periodic Review (UPR) process takes place every four and one half years; however, some recommendations can be implemented immediately. In order to reduce this interval, we have created a follow-up process to evaluate the human rights situation two years after the examination at the UPR.

Broadly speaking, *UPR Info* seeks to ensure the respect of commitments made in the UPR, but also, more specifically, to give stakeholders the opportunity to share their opinion on the commitments. To this end, about two years after the review, *UPR Info* invites States, NGOs, and National Institutions for Human Rights (NHRI) to share their comments on the implementation (or lack thereof) of recommendations adopted at the Human Rights Council (HRC) plenary session.

For this purpose, *UPR Info* publishes a Mid-term Implementation Assessment (MIA) including responses from each stakeholder. The MIA is meant to show how all stakeholders are disposed to follow through on and to implement their commitments. States should implement the recommendations that they have accepted and civil society should monitor that implementation.

While the follow-up's importance has been highlighted by the HRC, no precise directives regarding the follow-up procedure have been set until now. Therefore, *UPR Info* is willing to share good practices as soon as possible and to strengthen the collaboration pattern between States and stakeholders. Unless the UPR's follow-up is seriously considered, the UPR mechanism as a whole could be adversely affected.

The methodology used by UPR Info to collect data and to calculate the index is described at the end of this document.

Geneva, 27 May 2014



Follow-up Outcomes

1. Sources and results

All data are available at the following address:

http://followup.upr-info.org/index/country/papua_new_guinea

We invite the reader to consult this webpage since all recommendations, all stakeholders' reports, as well as the unedited comments can be found at the same internet address.

10 stakeholders' reports were submitted for the UPR. 12 NGOs were contacted. 2 UN agencies were contacted. The Permanent Mission to the UN was contacted. A National Human Rights Institution (NHRI) does not exist.

8 NGOs responded to our enquiry. 1 UN agency responded. The State under Review did not respond to our enquiry.

The following stakeholders took part in the report:

1. **UN Agency:** (1) United Nations Human Rights Task Team (UNHRTT)
2. **NGOs:** (1) Earthjustice + Human Rights Advocates (EJ+HRA) (2) Global Initiative to End All Corporal Punishment of Children (GIEACPC) (3) Joint submission of Franciscans International, Edmund Rice International, Foundation for Marist Solidarity International (Joint) (4) Reporters sans frontières (RSF) (5) University of Oklahoma College of Law International Human Rights Clinic (UOCLIHRC)

IRI: 10 recommendations are not implemented, 20 recommendations are partially implemented, and 19 recommendations are fully implemented. No answer was received for 94 out of 146 recommendations and voluntary pledges.



2. Index

Hereby the issues that the MIA covers:

rec. n°	Rec. State	Issue	IRI	page
70	Algeria	HIV - Aids,Rights of the Child	partially impl.	page 6
87	Algeria	Disabilities,International instruments,Labour,Migrants,Rights of the Child	partially impl.	page 10
136	Algeria	Right to education	fully impl.	page 17
17	Argentina	Women's rights	fully impl.	page 14
7	Australia	Disabilities,International instruments	fully impl.	page 10
51	Australia	Women's rights	not impl.	page 15
78	Brazil	Detention conditions,Disabilities,International instruments,Torture and other CID treatment	partially impl.	page 9
18	Canada	Rights of the Child,Women's rights	not impl.	page 14
46	Canada	Special procedures,Women's rights	fully impl.	page 11
53	Chile	Rights of the Child,Torture and other CID treatment	fully impl.	page 16
65	China	Development	fully impl.	page 6
66	Cuba	Development	fully impl.	page 6
21	Czech Republic	Justice	partially impl.	page 12
120	Czech Republic	Rights of the Child,Torture and other CID treatment,Women's rights	-	page 17
98	France	Justice,Women's rights	not impl.	page 15
96	Germany	Women's rights	not impl.	page 15
2	Haiti	International instruments	fully impl.	page 9
130	Haiti	Human rights defenders	-	page 14
54	Hungary	Labour,Rights of the Child,Trafficking,Women's rights	fully impl.	page 16
1	Indonesia	International instruments	fully impl.	page 9
137	Indonesia	International instruments,Right to education	partially impl.	page 17
58	Japan	Human rights education and training,International instruments,Technical assistance	partially impl.	page 11
77	Japan	Disabilities,Enforced disappearances,International instruments,Special procedures,Torture and other CID treatment	partially impl.	page 9
52	Malaysia	Justice,Impunity,Rights of the Child,Women's rights	partially impl.	page 15
9	Maldives	Disabilities,International instruments	partially impl.	page 9
42	Maldives	Special procedures	fully impl.	page 10
71	Maldives	Environment	fully impl.	page 7
38	Mexico	Disabilities	fully impl.	page 8
19	Norway	Rights of the Child,Women's rights	partially impl.	page 14
45	Norway	Special procedures,Women's rights	fully impl.	page 11
76	Norway	International instruments	partially impl.	page 9
90	Norway	Indigenous peoples,International instruments	not impl.	page 11
93	Norway	International instruments,Women's rights	partially impl.	page 12
144	Norway	Indigenous peoples,International instruments	not impl.	page 12
22	Poland	Justice	partially impl.	page 12



97	Poland	Women's rights	not impl.	page 15
6	Republic of Korea	Disabilities, International instruments	fully impl.	page 9
20	Republic of Korea	Rights of the Child, Women's rights	partially impl.	page 15
50	Republic of Korea	Human rights violations by state agents, Special procedures, Torture and other CID treatment	partially impl.	page 13
57	Slovakia	Human rights education and training, Human rights violations by state agents	not impl.	page 13
8	Slovenia	Disabilities, International instruments	fully impl.	page 10
44	Slovenia	Special procedures, Women's rights	fully impl.	page 11
56	Slovenia	Human rights education and training	partially impl.	page 6
112	Slovenia	Labour, Rights of the Child, Torture and other CID treatment	not impl.	page 16
138	Slovenia	Right to education, Women's rights	partially impl.	page 18
47	South Africa	Women's rights	partially impl.	page 15
43	Spain	Special procedures, Torture and other CID treatment	fully impl.	page 10
86	Spain	Disabilities, Enforced disappearances, International instruments, Torture and other CID treatment	partially impl.	page 10
139	Spain	Right to education	partially impl.	page 18
116	Switzerland	Human rights violations by state agents	not impl.	page 14
102	Thailand	HIV - Aids, Labour, Public security, Rights of the Child, Torture and other CID treatment, Women's rights	-	page 16
55	United States	Trafficking	fully impl.	page 17



3. Feedback on recommendations

ESC Rights

Recommendation n^o56: *Enhance human rights training for police forces and ensure their accountability for respecting human rights (Recommended by Slovenia)*

IRI: *partially implemented*

United Nations Human Rights Task Team (UNHRTT) response:

Some international actors conduct human rights training to the Royal PNG Constabulary. This included training by UNICEF on juvenile justice and the rights of the child, by IOM on human trafficking, and by the ICRC on humanitarian law. OHCHR/UNDP in collaboration with the Bomana Police Training Academy are taking steps to enhance human rights training in the new recruit and in-service curriculum.

Recommendation n^o65: *Continue its committed efforts in economic and social development and improving people's living standard so as to protect effectively the rights of its people (Recommended by China)*

IRI: *fully implemented*

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Recommendation n^o66: *Continue implementing strategies and plans for the socio-economic development of the country (Recommended by Cuba)*

IRI: *fully implemented*

UNHRTT response:

The Government of PNG continued to implement its Medium Term Development Plan (2011-2015).

Recommendation n^o70: *With international assistance, intensify efforts against the spread of HIV/AIDS in the country, with increased attention to prevention and care for affected children (Recommended by Algeria)*

IRI: *partially implemented*

UNHRTT response:

PNG has a costed national PPTCT & Paediatric HIV Care Operational Plan 2011-2015. Targets have been set for the year 2015 in the national plan (80% coverage). These are lower than the global target of 90% coverage required to reach elimination of mother-to-child transmission. Since 2012, all HIV positive pregnant women in Papua New Guinea are eligible for HIV related ARV treatment, but there is lack of reliable data on prevention mother to child transmission. The latest

estimates on HIV treatment coverage of HIV positive 0–14 year old children is still very low (20%). The UN in PNG continues to work with the PNG Government and civil society on this issue.

Recommendation n°71: *Continue its leading international efforts to tackle global warming, including by reminding developed countries and other major emitting States of their obligation to help promote and protect human rights by reducing greenhouse gas emissions to safe levels (Recommended by Maldives)*

IRI: *fully implemented*

Earthjustice + Human Rights Advocates (EJ+HRA) response:

Papua New Guinea has continued to participate in international efforts to tackle global warming, including by reminding developed countries and other major emitting States of their obligation to help promote and protect human rights by reducing greenhouse gas emissions to safe levels.

For example, at the UNFCCC Conference of Parties in 2012, PNG's Minister for Forests and Climate Change, Hon. Patrick Pruaitch, speaking on behalf of the Coalition of Rainforest Nations, stated:

“Our Coalition is determined to finalize all remaining issues that would allow the second commitment period of the Kyoto Protocol to start smoothly on 1 January 2013. We call for the stringent standards for environmental integrity and more ambition under the Kyoto Protocol. To this aim Annex B Parties should commit to deeper greenhouse gas emission reduction commitments and REDD+ can offer a significant contribution to the closure of the ambition gap. ... REDD+ actions, but only under a national reference level and National MRV systems to safeguard environmental integrity, must contribute to raise the level of ambition of developed country Parties both under the Kyoto Protocol and the new legally binding agreement to be crafted by 2015 under the Durban Platform. REDD+ efforts should be fully covered by the new agreement and early and pilot mitigation actions should be recognized by the UNFCCC. Their impact on the global reduction of greenhouse gas emissions should be formally quantified.”

PNG has an Office of Climate Change and Development (OFCCD) which is undertaking an intensive consultation with a broad range of stakeholders, including government, civil society, private sector and local communities. The consultation is designed to yield a better understanding of the climate change issues facing communities, obtain feedback on what it would take for communities to participate in a national REDD+ program, and prioritize adaptation measures most appropriate for communities.

In addition, PNG participates in the Strategic Program for Climate Resilience, implementing US\$30 million in national climate adaptation efforts, and is active in international negotiations for REDD+.

Nevertheless, no amount of effort on the part of PNG will fully protect the human rights of the people of PNG, as long as climate change continues to:

- threaten the physical security and health of coastal communities with increased temperatures, sea level rise and increasingly severe storms and cyclones resulting in tidal surges, lowland flooding, beach and mangrove erosion, and the spread of vector-borne diseases;
- threaten access to freshwater by increasing extremes of temperature and precipitation, increasing instances of drought, and by causing salt-water intrusion into groundwater due to lowland flooding and coastal erosion; and
- jeopardize food security by impeding the agricultural capacity of the islands and damaging ocean ecosystems such as reef fisheries on which the people of PNG rely for food.

These threats are negatively impacting the rights to food and water, the right to health, and the right to a healthy and sustainable environment for the people of PNG.

The primary responsibility for the harms to the human rights of the people of PNG caused by climate change falls not on the national authorities of PNG, but on the States most responsible for past and current emissions of climate pollutants. These polluting States must take responsibility for their share of the impacts of climate change on the enjoyment of the human rights of the people of PNG, implement effective measures to substantially reduce their emissions, and provide financial, technical and other support for measures to minimize the effects of climate change on the human rights of the people of PNG.

Minorities

Recommendation n°38: Promote the creation of a database regarding persons with disabilities, with the objective of guiding relevant policies to make their rights effective (Recommended by Mexico)

IRI: fully implemented

Franciscans International, Edmund Rice International, Foundation for Marist Solidarity International (Joint) response:
Inserted into revised National Disability Policy.

International Instruments

Recommendation n°1: *Consider becoming party to important international legal instruments to which it is not yet a party* (Recommended by Indonesia)

IRI: *fully implemented*

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Recommendation n°2: *Consider the possibility of signing and ratifying the main universal human rights instruments to which it is not yet a party* (Recommended by Haiti)

IRI: *fully implemented*

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Recommendation n°6: *Consider ratifying CRPD, believing that the ratification should follow recent measures such as the launch of the 2009 National Policy on Disability and the establishment of the National Advisory Committee on Disability* (Recommended by Republic of Korea)

IRI: *fully implemented*

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Recommendation n°9: *Ratify CRPD and incorporate a disability perspective into its Vision 2050 and other development plans and programmes* (Recommended by Maldives)

IRI: *partially implemented*

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Recommendation n°76: *Take steps to ratify all human rights instruments* (Recommended by Norway)

IRI: *partially implemented*

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Recommendation n°77: *Ratify as soon as possible important international human rights instruments to which it is not yet a party, inter alia, CAT, CRPD and CED, and issue a standing invitation to special procedures* (Recommended by Japan)

IRI: *partially implemented*

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Recommendation n°78: *Consider ratifying CAT and its Optional Protocol, and CRPD* (Recommended by Brazil)

IRI: *partially implemented*

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Recommendation n°86: *Sign and ratify CAT, CED and CRPD (Recommended by Spain)*

IRI: *partially implemented*

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Recommendation n°87: *Accede, as a priority, to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families as well as to CRPD and to the two Optional Protocols to CRC (Recommended by Algeria)*

IRI: *partially implemented*

UNHRTT response:

On 26 September 2013 Papua New Guinea ratified the Convention on Rights of Persons with Disabilities (CRPD).

Recommendation n°7: *Proceed to ratify CRPD (Recommended by Australia)*

IRI: *fully implemented*

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Recommendation n°8: *Ratify CRPD (Recommended by Slovenia)*

IRI: *fully implemented*

Joint response:

Papua New Guinea has ratified the convention.

UNHRTT response:

On 26 September 2013 Papua New Guinea ratified the Convention on Rights of Persons with Disabilities (CRPD).

Recommendation n°42: *Extend a standing invitation to special procedures mandate holders as a way of informing and supporting human rights reforms (Recommended by Maldives)*

IRI: *fully implemented*

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Recommendation n°43: *Extend an open and standing invitation to all special procedures, welcoming with satisfaction the official invitation to the Special Rapporteur on the question of torture in 2010 (Recommended by Spain)*

IRI: *fully implemented*

UNHRTT response:

On 11 May 2011, the Government of PNG extended a standing invitation to special procedures mandate holders.

Recommendation n°44: *Issue an invitation to the Special Rapporteur on violence against women, its causes and consequences (Recommended by Slovenia)*

IRI: *fully implemented*

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Recommendation n°45: *Extend an invitation to the Special Rapporteur on violence against women to visit Papua New Guinea (Recommended by Norway)*

IRI: *fully implemented*

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Recommendation n°46: *Invite the Special Rapporteur on violence against women to visit the country (Recommended by Canada)*

IRI: *fully implemented*

UNHRTT response:

In March 2012, the Papua New Guinea Government facilitated an official country [visit] to Papua New Guinea UN Special Rapporteur on violence against women, its causes and consequences.

Recommendation n°58: *With the continued support of the international community, reinforce the capacity of law enforcement authorities through awareness-raising of police and other law enforcement officials to ensure their compliance with international human rights standards and by adopting relevant legislation (Recommended by Japan)*

IRI: *partially implemented*

UNHRTT response:

In August/September 2011, OHCHR and UNDP with the full cooperation of the Royal PNG Constabulary conducted a human rights needs assessment of the RPNGC. Steps are underway to implement the recommendations of the assessment. High level police officials have made public statements against human rights violations by police officers.

Recommendation n°90: *Consider ratifying International Labour Organization Convention No. 169 (1989) concerning Indigenous and Tribal Peoples in Independent Countries and take operational steps to implement the United Nations Declaration on the Rights of Indigenous Peoples (Recommended by Norway)*

IRI: *not implemented*

University of Oklahoma College of Law International Human Rights Clinic (UOCLIHRC) response:

With plenty respect to the position taken by Papua New Guinea, and acknowledging full exercise of its sovereignty. We invite to reconsider its position about this international instrument. The State has not taken any measures about this subject.

Recommendation n°93: *Eliminate any legislation that has discriminatory effects against women in family and public life, in line with CEDAW, by, inter alia, including "gender" as a prohibited ground of discrimination in its Constitution* (Recommended by Norway)

IRI: *partially implemented*

UNHRTT response:

In May 2013, PNG repealed the 1971 Sorcery Act which previously enabled suspicion or accusation of sorcery.

Recommendation n°144: *Review the 2010 amendment to the Environment Act in order to ensure consistency with the objectives of the United Nations Declaration on the Rights of Indigenous Peoples* (Recommended by Norway)

IRI: *not implemented*

UOCLIHRC response:

We invite to reconsider its position about the Environment Act. The State has not taken any measures about this subject.

Justice

Recommendation n°21: *Accelerate its review of the law on sorcery and sorcery-related killings and strengthen the enforcement of relevant legislation* (Recommended by Czech Republic)

IRI: *partially implemented*

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Recommendation n°22: *Review the law on sorcery and sorcery-related killings and investigate, prosecute and punish perpetrators of such crimes* (Recommended by Poland)

IRI: *partially implemented*

UNHRTT response:

In May 2013, the PNG Parliament repealed the Sorcery Act 1971 which previously enabled suspicion or accusation of sorcery as a mitigating factor to murder.



Recommendation n°50: *Take effective measures to prevent alleged abuse and violence by police officers, encouraging the Government to respond appropriately to the Special Rapporteur on the question of torture's concerns and recommendations on this matter (Recommended by Republic of Korea)*

IRI: *partially implemented*

Reporters sans frontières (RSF) response:

Entre mars et avril 2012, deux journalistes ont fait l'objet de violences de la part d'agents de police, visiblement en raison de leur activité professionnelle. Le 7 avril 2012, alors qu'il couvrait une manifestation, Patrick Talu a été pris à parti par des policiers, sans que celui-ci ait montré le moindre signe de menace. Selon son témoignage, ceux-ci l'ont entouré, invectivé, puis poussé. L'un d'eux lui aurait également arraché son téléphone portable des mains. Le 20 avril 2012, Mark Kayok a été frappé dans la rue par des policiers qui les ont suivi lui et un ami. Les agents, reprochant à son média d'être trop critique à leur encontre, lui ont cassé le nez et causé d'autres blessures. Malgré une réaction positive de la part des autorités après ces incidents, aucune sanction envers les responsables de ces violences n'est connue à ce jour.

UNHRTT response:

Senior police officers have made strong statements against alleged human rights violations by police officers. In March 2014, on the invitation of the Government of PNG, the Special Rapporteur on extrajudicial, summary and arbitrary executions conducted an official visit to PNG.

Recommendation n°57: *Ensure comprehensive human rights training for its law enforcement personnel with a view to prevent any excessive use of force and to investigate, prosecute and punish the perpetrators of such human rights violations, in accordance with international standards (Recommended by Slovakia)*

IRI: *not implemented*

RSF response:

[See response to recommendation n°50]

UNHRTT response:

In August/September 2011, the OHCHR and UNDP with the full cooperation of the Royal PNG Constabulary conducted a human rights needs assessment of the RPNGC. Steps are underway to implement the recommendations of the assessment. Senior police officers have made public statements against alleged human rights violations by police officers.

Recommendation n°116: *Carry out effective and independent investigations of allegations of excessive use of force by the security forces to bring perpetrators of these acts to justice and ensure that victims benefit from full reparations (Recommended by Switzerland)*

IRI: *not implemented*

RSF response:

[See response to recommendation n°50]

UNHRTT response:

On 1 July 2011, the Human Rights Rules came into operation. The Rules were incorporated in the existing National Court Rules. They contain unique provisions intended to facilitate bringing to justice perpetrators of human rights violations.

Recommendation n°130: *Take concrete and practical measures to protect human rights defenders who, according to a United Nations joint report, have been threatened, attacked and in some cases murdered (Recommended by Haiti)*

IRI: -

RSF response:

[See response to recommendation n°50]

Women & Children

Recommendation n°17: *Consider reinforcing the legal framework for the prevention of violence against women (Recommended by Argentina)*

IRI: *fully implemented*

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Recommendation n°18: *Take steps to implement a comprehensive legal framework addressing all forms of violence against women and children (Recommended by Canada)*

IRI: *not implemented*

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Recommendation n°19: *Introduce and implement a comprehensive legal framework to protect women and girls against all forms of gender-based violence and, in particular, introduce legislation that prohibits domestic violence (Recommended by Norway)*

IRI: *partially implemented*

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Recommendation n°20: *Make every effort to eliminate domestic violence, with special attention to enacting and implementing a comprehensive legal framework addressing all forms of violence against women, sharing the international communities' concerns on the lack of laws specifically prohibiting violence against women and girls within the family* (Recommended by Republic of Korea)

IRI: *partially implemented*

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Recommendation n°47: *Take further steps to promote the rights of women and end all forms of discrimination experienced by the female population of Papua New Guinea* (Recommended by South Africa)

IRI: *partially implemented*

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Recommendation n°51: *Continue to take a comprehensive approach through its law and justice, civil society and health programmes to address the high incidence of violence against women* (Recommended by Australia)

IRI: *not implemented*

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Recommendation n°52: *Undertake more effective measures to address the problems of impunity and violence against women and girls, including by strengthening law enforcement and the judicial system* (Recommended by Malaysia)

IRI: *partially implemented*

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Recommendation n°96: *Develop a legislative reform package to eliminate gender-based violence* (Recommended by Germany)

IRI: *not implemented*

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Recommendation n°97: *Enact and implement a comprehensive legal framework addressing all forms of violence against women* (Recommended by Poland)

IRI: *not implemented*

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Recommendation n°98: *Adopt an adequate legal framework to combat all forms of violence against women and put in place an effective complaint system in order to bring the perpetrators of these acts before justice* (Recommended by France)

IRI: *not implemented*

UNHRTT response:

On 19 September 2013 the Papua New Guinea Parliament passed the Family Protection Bill which criminalizes domestic violence in Papua New Guinea. As of April 2014, this legislation had yet to be gazetted and thus is not yet enforceable.

Recommendation n°53: *Consider prohibiting by law corporal punishment within the family and other institutions* (Recommended by Chile)

IRI: *fully implemented*

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Recommendation n°102: *Develop proactive strategies for economic development and social cultural transformation, with priority given to addressing the problems of discrimination against women, gender-based violence, the HIV/AIDS epidemic, child labour, corporal punishment of children, and sorcery-related killings* (Recommended by Thailand)

IRI: -

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Recommendation n°112: *Prohibit corporal punishment of children in all settings and ensure protection against child labour and child prostitution* (Recommended by Slovenia)

IRI: *not implemented*

Global Initiative to End All Corporal Punishment of Children (GIEACPC) response:

In accepting the recommendations to prohibit corporal punishment, the Government stated that prohibition in the home and other settings is an "ongoing effort" and that laws relating to corporal punishment are being reviewed. However, the adoption of the Family Protection Act 2013 failed to achieve the necessary reforms. The Act confirms every person right to freedom from violence in general but does not explicitly prohibit corporal punishment (which is typically not perceived as violent unless it is of some severity), nor does it repeal the provision in the Criminal Code 1974 which authorises the use of force against children "by way of correction". Corporal punishment of children therefore remains lawful in the home, alternative care settings, day care, schools and penal institutions.

Recommendation n°54: *Modify its legislation to ensure that the provisions prohibit and penalize the sale and trafficking of girls and boys under the age of 18 for sexual and labour exploitation* (Recommended by Hungary)

IRI: *fully implemented*

UNHRTT response:

The People Smuggling and Trafficking in Persons bill was passed in 2013. The bill amends the criminal code of Papua New Guinea, and gives law enforcement and prosecutors the necessary tools to address trafficking crimes. Legislation on Human Trafficking specifically covers minors and punishment for offenders. It is expected that the bill will be adopted in May 2014.

Recommendation n°55: *Increase efforts to prosecute offenders of human trafficking, identify and protect trafficking victims, and make efforts to prevent trafficking crimes (Recommended by United States)*

IRI: *fully implemented*

UNHRTT response:

Ongoing efforts to prosecute offenders of human trafficking, identify and protect trafficking victims, and make efforts to prevent trafficking crimes. The Amended Bill passed by Parliament in June 2012 on Human Trafficking is pending certification before it can be enforced.

Recommendation n°120: *Take immediate measures to investigate cases of brutal torture and killings of girls and women, especially elderly women, accused of witchcraft, and to prosecute and punish perpetrators (Recommended by Czech Republic)*

IRI: -

UNHRTT response:

The Papua New Guinea Parliament repealed the Sorcery Act 1971 which previously enabled suspicion or accusation of sorcery as a mitigating factor to murder.

Recommendation n°136: *Consider the possibility of ensuring free and compulsory education, at least at the primary level (Recommended by Algeria)*

IRI: *fully implemented*

Joint response:

[...]

[See responses to recommendations n° 137 & 138].

Recommendation n°137: *Guarantee universal basic education, in accordance with the international human rights treaties it has ratified, and ensure that primary education is compulsory and free for all (Recommended by Indonesia)*

IRI: *partially implemented*

Joint response:

Papua New Guinea is currently implementing the Universal Basic Education Plan 2010 – 2019, which holds primary education to be compulsory. Fees exist, but are planned to be removed. [More information available [here](#)].

Compulsory Education: Network of Callan Services (Callan Services via Callan Services National Unit – CSNU) made a submission on a move to develop a Compulsory Education Policy – basically said it would be improper for us to oppose such a policy as proposed by the Govt. because it supported the rights of all children including those with disabilities. We did

however say that the Govt via NDoEducation needed to explore and prepare for education of every child in PNG who has disabilities. We offered to assist Govt to do this while naming key issues such as teacher education, offices/housing and vehicles, and technical resources, staffing at NDoE, etc.

Recommendation n°138: *Ensure compulsory, free and accessible primary education for all. Enhance also the availability and accessibility of secondary and higher education and close the gender gap at all levels of education*(Recommended by Slovenia)

IRI: *partially implemented*

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Recommendation n°139: *Ensure that primary education is free and compulsory and prioritize the accessibility of secondary education, making it progressively free in accordance with the new Universal Plan on Basic Education*(Recommended by Spain)

IRI: *partially implemented*

Joint response:

Papua New Guinea has been opening Gender Focal Points in its provinces. It is said that these will allow for the prioritisation of and involvement of gender issues in education.

On 30/01/2013 the Papua New Guinea government released US\$112 million of funds for the proposed free education programme. The funding covers fees for students attending elementary schools up to grade 12 and vocational centres, as well as subsidised fees for permitted schools. However about 5000 schools throughout PNG are in danger of missing out on the funding for 2013.

As above [in recommendation n°137] for compulsory education. The free education strategy was not a good educational decision – it was a pre-election proposal that won wide public support and was not prepared for with teacher education/more teacher ed. colleges, classroom construction, teacher housing and ongoing monitoring of teacher performance and quality outcomesnot to mention sp. ed. needs as above.



Methodology

A. First contact

Although the methodology has to consider the specificities of each country, we apply the same procedure for data collection about all States:

1. We contact the Permanent Mission to the UN either in Geneva or New York;
2. We contact all NGOs that took part in the process. Whenever NGOs were part of coalitions, each NGO is contacted individually;
3. The National Institution for Human Rights is contacted, whenever one exists.
4. UN Agencies, which sent information for the UPR, are also contacted.

We post our requests to the States and send e-mails to NHRIs, NGOs and UN Agencies.

The purpose of the UPR is to discuss issues and share concrete suggestions to improve human rights on the ground. Therefore, stakeholders whose objective is not to improve the human rights situation are not contacted and those stakeholders' submissions are not taken into account.

However, since the UPR is meant to be a process that aims to share best practices among States and stakeholders, we take into account positive feedbacks from the latter.

B. Processing recommendations and voluntary pledges

The stakeholders that we contact are encouraged to use an Excel sheet, which we provide, that includes all recommendations received and voluntary pledges taken by the State reviewed.

Each submission is processed, whether the stakeholder has or has not used the Excel sheet. In the latter case, the submission is split among recommendations to which we think it belongs. Since such a task is more prone to misinterpretation, we strongly encourage stakeholders to use the Excel sheet.

If the stakeholder does not clearly mention whether the recommendation was “fully implemented” or “not implemented”, *UPR Info* usually considers the recommendation as “partially implemented”, unless the implementation level is obvious.

UPR Info retains the right to edit comments that are considered to not directly address the recommendation in question, when comments are too lengthy or when comments are defamatory or inappropriate. While we do not mention the

recommendations which were not addressed, they can be accessed unedited on the follow-up webpage.

C. Implementation Recommendation Index (IRI)

UPR Info developed an index showing the implementation level achieved by the State for both recommendations received and voluntary pledges taken at the UPR.

The **Implementation Recommendation Index (IRI)** is an individual recommendation index. Its purpose is to show an average of stakeholders’ responses.

The *IRI* is meant to take into account stakeholders disputing the implementation of a recommendation. Whenever a stakeholder claims nothing has been implemented at all, the index score is 0. At the opposite, whenever a stakeholder claims a recommendation has been fully implemented, the *IRI* score is 1.

An average is calculated to fully reflect the many sources of information. If the State under Review claims that the recommendation has been fully implemented, and a stakeholder says it has been partially implemented, the score is 0.75.

Then the score is transformed into an implementation level, according to the table below:

Percentage:	Implementation level:
0 – 0.32	Not implemented
0.33 – 0.65	Partially implemented
0.66 – 1	Fully implemented

Example: On one side, a stakeholder comments on a recommendation requesting the establishment of a National Human Rights Institute (NHRI). On the other side, the State under review claims having partially set up the NHRI. As a result of this, the recommendation is given an *IRI* score of 0.25, and thus the recommendation is considered as “not implemented”.

Disclaimer

The comments made by the authors (stakeholders) are theirs alone, and do not necessarily reflect the views and opinions at UPR Info. Every attempt has been made to ensure that information provided on this page is accurate and not abusive. UPR Info cannot be held responsible for information provided in this document.

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