

HRC33 – Item 6: Papua New Guinea UPR Adoption

Papua New Guinea should implement its legal commitments to ensure human rights for all

Human Rights Watch welcomes the adoption of the outcome of the second Universal Periodic Review (UPR) on Papua New Guinea (PNG). Although some important legal and institutional initiatives have been taken, such as the ratification of the Convention on the Rights of Persons with Disabilities, inadequate implementation has meant few genuine improvements for victims of human rights violations in the country.

Despite PNG's commitments in 2011 to address police abuses, these remain rampant with more than 1,600 complaints of police abuse filed between 2007 and 2014. Of particular concern is the use of unlawful force by police during arrest, interrogation, and pre-trial detention, sometimes resulting in death. In June this year, police opened fire on protesting university students in Port Moresby, wounding 23 students. Rather than investigating this incident for alleged excessive use of force, Prime Minister Peter O'Neill said an inquiry would be held "to determine the underlying reasons for continued student unrest promoted by individuals outside the student body ... [and] to uncover the source of external funding that has underwritten student protest in recent weeks."

Numerous countries urged PNG to address the alarming levels of family and gender-based violence in the country. Human Rights Watch notes that the PNG government took the important step of passing the 2013 Family Protection Act to tackle widespread gender-based violence. However, alarming rates of gender-based violence continue to be reported and three years after the act was passed, the legislation has not been implemented.

Survivors of gender-based violence face significant barriers in obtaining protection orders and there is a dire lack of services such as safe houses, qualified counselors, and legal aid, for those requiring assistance. Over the last four years, there has been little practical improvement in justice for violence against women.

At the 2011 UPR, PNG accepted recommendations to take measures to investigate killings of women and girls accused of witchcraft, and prosecute the perpetrators. Although the 1971 Sorcery Act, which had permitted claims of sorcery as a defense to murder, was repealed in 2013, impunity continues for those who attack others on the pretext of sorcery accusations.

At the UPR, Sweden and Fiji urged PNG to end indefinite mandatory detention of asylum seekers transferred from Australia. In April, the [PNG Supreme Court ruled](#) that the detention of asylum seekers on Manus Island was unconstitutional – PNG's Prime Minister O'Neill promptly agreed to close the center. But since then PNG has not taken significant steps to shut it down.

To comply with its own court ruling, PNG should take steps immediately to permanently close the Manus detention center. PNG should make arrangements to send asylum seekers and refugees to Australia or third countries with capacity to settle refugees safely and with dignity.