ADVOCACY FACTSHEET: RESPECT AND PROTECTION OF CIVIC FREEDOMS IN PAPUA NEW GUINEA

ABOUT TRANSPARENCY INTERNATIONAL PAPUA NEW GUINEA:

Transparency International Papua New Guinea (TIPNG) is the Papua New Guinea (PNG) national chapter of the global Transparency International movement. Since its incorporation in 1997, TIPNG has worked to empower people in PNG to take action against corruption. As the country's leading civil society voice on anti-corruption, TIPNG works with citizens and institutions to advocate for transparency and intergrity within the rule of law in PNG.

RIGHT TO INFORMATION

PROGRESSIVE UPDATE

The right to access information is a qualified right under Section 51 of the PNG Constitution, which provides for the enactment of Right to Information (RTI) legislation. However, PNG still has no dedicated RTI law, and citizens continue to face barriers due to a culture of secrecy and limited clarity on what government information should be publicly accessible.

There has been progress through the Open Government Partnership. The Government has committed to advancing RTI legislation, with a RTI Policy developed and completed final validation in June 2026. Once endorsed by the National Executive Council, drafting of the proposed legislation is expected to commence. Courts have also strengthened the practical application of the right. In *Mesulam v Joku (2023)*, the Supreme Court established a public-interest test requiring agencies restricting access to official documents to justify both the exemption and the need for secrecy. Despite these developments, comprehensive RTI legislation remains necessary to fully protect and operationalise the constitutional right.

RECOMMENDATIONS

- ENACT Right to Information (RTI) legislation to promote maximum disclosure of information in the public interest and guarantee the right of everyone to access information including providing for effective mechanisms.
- ENSURE freedom of expression and media freedom by bringing all national legislation into line with international standards.
- DEMONSTRATE a culture of proactive disclosure of high-value public information, including budgets, contracts, licenses, audits, resource with clear response deadlines.

FREEDOM OF EXPRESSION

PROGRESSIVE UPDATE

PNG's Constitution provides strong protection for freedom of expression under Article 46, including freedom of the press and the right to receive and communicate information. However, growing restrictions particularly online are creating a chilling effect on public debate. The Cybercrime Code Act 2016 has been used to arrest, charge and prosecute people for online expression. Online defamation can attract penalties of up to 25 years' imprisonment or a K1 million fine, creating a significant deterrent to legitimate criticism and political discourse.

In March 2025, Facebook was temporarily blocked nationwide during a politically sensitive period. The Police Minister linked the disruption to the Government's powers under the *National Anti-Terrorism Act 2024*, raising concerns about broad national security powers being used to restrict lawful expression. Further to this, The National Social Media Policy 2025 has introduced further controls, including digital ID and platform compliance requirements. While intended to improve online safety and accountability, these measures raise concerns about their potential impact on freedom of expression online.

RECOMMENDATIONS

- REVIEW and AMEND criminal defamation provisions in the Cybercrime Code Act 2016 to ensure these are in line with ICCPR article 19 and international law and standards on freedom of expression.
- STOP the use of the Cybercrime Code Act 2016 to arrest, detain and prosecute people for peaceful expression online.
- ENSURE freedom of expression and media freedom by bringing all national legislation into line with international standards.
- ENSURE protection of human rights defenders, whistleblowers and public-interest critics from harassment, intimidation and abusive litigation.

FREEDOM OF PRESS (MEDIA FREEDOM)

PROGRESSIVE UPDATE

PNG retains a relatively protective legal framework for press freedom, but media independence is increasingly under pressure from political influence, intimidation, censorship and restrictive practices. PNG was ranked 73rd in the 2026 World Press Freedom Index. Over the last UPR Cycle there has been at least six (6) incidents documented involving journalists. Incidents ranging from physical intimidation, harassment, employment reprisals and restrictions on journalists' access to information and high-level events.

In 2025, the *National Media Policy 2025* sparked widespread criticism from media to civil society on the practicalities of the policy leading to imposed government control of media licensing and reporting. Practical cases of restrictions affecting journalists observed through this period include Parliament restrictions on media, additional requirements for foreign journalists, exclusion from government media events, and threats, dismissals and suspensions linked to critical reporting. These developments point to an increasingly fragile environment for independent journalism.

RECOMMENDATIONS

- ENSURE that journalists and writers can work freely and without fear of retribution for expressing critical opinions or covering topics the government may deem sensitive.
- UPLIFT any restrictions on the work of domestic and foreign journalists and adopt a framework for their protection from harassment, intimidation and persecution.
- ENSURE that media laws are consistent with international human rights law and standards and refrain from adopting any new laws providing for censorship or undue control over media content.

This factsheet is based on the Joint Submission by CIVICUS, Pacific Island Association of Non-Government Organisations (PIANGO) & Transparency International Papua New Guinea (TIPNG) for the 53rd Session of the UPR Working Group (April 2026). All reference can be accessed through the 2026 Joint UPR submission.

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FREEDOM OF ASSOCIATION

PROGRESSIVE UPDATE

Freedom of Association is a qualified right under section 47 of the Constitution. The Associations Incorporation Act 2023 (as amended) provides the main legal framework for the registration and operation of civil society organisations (CSOs), including public-benefit and member-benefit associations, as well as foreign charities, NGOs and religious organisations operating in PNG. The Associations Incorporation Act 2023 (as amended) came into effect on 1st July 2026, introducing a mandatory re-registration period for all existing CSOs. All existing registrations must be renewed by 30th June 2027.

The Government has undertaken efforts to recognise civil society as a partner in national development through the Government and CSO Partnership Policy. However, CSOs have raised concerns that aspects of the policy could increase government influence over civil society, leading to possible state capture and have called for revisions. Despite these challenges, CSOs continue to operate across areas including environmental protection, land rights, gender-based violence, community development, women's rights and religion, with funding remaining available through international donors, local contributions and private foundations.

RECOMMENDATIONS

- TAKE MEASURES to foster a safe, respectful and enabling environment for civil society, including by preventing legal and policy measures that unwarrantedly limit the right to freedom of association.
- AMEND the Associations Incorporation Act 2023 to provide an administrative appeal option when an association is deregistered so that it is not necessary to go to the District Court.
- ENSURE government partnership programmes with civil society and any associated funding structures are designed in a manner that preserves independence of civil society and are based on impartial and transparent criteria.

FREEDOM OF PEACEFUL ASSEMBLY

PROGRESSIVE UPDATE

Freedom of Peaceful Assembly is a qualified right under Section 47 of the Constitution of Papua New Guinea. As standard procedure, all organized public meetings and procession require a permit issued under the Peace and Good Order Act 1991. The Criminal Code Act 1974 contains broad provisions covering unlawful assembly. Peaceful protests are generally permitted, but unclear permit procedures, inconsistent approvals and police restrictions continue to limit the right, particularly for politically sensitive gatherings in Port Moresby.

In January 2024, there was a riot in Port Moresby following police protest, which has led to a more restrictive approach to public gatherings; a false protest permit circulated in February 2025 concerning opposition in relation to the constitutional amendment on Votes of No Confidence; and the blocking of planned protests in March 2025, with police citing the absence of a formal request and warning of unlawful assembly. Concerns also remain over accountability for excessive use of force, including allegations relating to shoot-out of protesters in Jiwaka Province during election period.

RECOMMENDATIONS

- REVIEW the Peace and Good Order Act 1991 to ensure it is consistent with international human rights law and standards as recommended by the Ombudsman Commission of PNG.
- ADOPT best practices on freedom of peaceful assembly, as put forward by the UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association in his 2012 annual report, which calls for procedures in which there is simple notification of assemblies being held, rather than explicit permission being needed to assemble.
- ENSURE that those responsible for those involved in excessive force or unlaw

PROTECTION OF HUMAN RIGHTS DEFENDERS

PROGRESSIVE UPDATE

Human rights defenders (HRDs) continue to play an important role in promoting accountability and human rights, but harassment, intimidation, arrests and legal reprisals remain concerns, particularly for those challenging powerful political, economic and social interests. Women HRDs also face gendered online and offline threats, including harassment and stalking. Recent cases have highlighted concerns around the use of the Cybercrime Code Act 2016 against individuals exercising their rights to expression and advocacy, including arrests and charges linked to social media activity.

There are, however, positive developments. In July 2026, PNG launched the Human Rights Policy marking a significant step forward progressing human rights effort in country. The Policy provides an important framework for strengthening human rights protection and could provide a basis for the establishment of an independent Human Rights Commission. However, in the interim, the greater challenge remains with ensuring effective legal safeguards and protections for Human Rights Defenders.

RECOMMENDATIONS

- PROVIDE civil society activists, HRDs and journalists with a safe and secure environment in which they can carry out their work and conduct impartial, thorough and effective investigations into all cases of attacks, harassment and intimidation against them
- ENSURE that HRDs are able to carry out their legitimate activities without fear or undue hindrance, obstruction or legal and administrative harassment.
- ESTABLISH an independent national human rights institution in accordance with the Paris Principles and in line with the PNG Strategic Plan on Human Rights 2024-2029 and ensure it works to protect HRDs.

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