

**Statement by**

**Mr Fred Sarufa**

**Charge d’ Affaires a.i.**

**Permanent Mission of Papua New Guinea to the United Nations**

**and Head of Papua New Guinea Delegation**

**to the**

**Twenty-Fifth Session of the**

**United Nations Human Rights Council Universal Periodic Review (UPR)**

**Second Cycle**

**6 May 2016, Geneva, Switzerland**

*"Check against delivery"*

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**Mr. President;**

**Excellencies and distinguished delegates.**

On my delegation’s behalf, let me begin by thanking the President of the Human Rights Council for convening this important review on the situation of human rights of UN Member States, including my own country, Papua New Guinea, today. We also commend the Secretariat for the supportive work in facilitating this important process.

My delegation welcomes the keen and increasing level of interest shown by UN Member States on Papua New Guinea’s human rights issues since the last UPR in 2011. We thank the many delegations who have registered to speak today to Papua New Guinea’s UPR, and also for the interesting ‘Advance Questionnaire” shared with my delegation by a wide cross-regional group of countries.

We are also pleased with the level of interest shown by civil society members on the human rights issues in Papua New Guinea, whom we consider to be important development partners.

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I would assure this august session that Papua New Guinea is ready to engage constructively with the Human Rights Council, including the Troika of Belgium, Namibia and Viet Nam and also the Rapporteur assigned to oversee Papua New Guinea’s UPR Second Cycle as well as the wider membership of the United Nations and other relevant stakeholders, including civil society.

**Mr President,**

This year is heralded as the year of implementation for several recent landmark multilaterally agreed frameworks, including the transformative and inclusive 2030 Agenda on sustainable development, which underscores the importance of ensuring that no-one-is-left behind; the watershed Paris Agreement on Climate Change; the Addis Ababa Action Agenda on financing for development; and the Sendai Framework on Disaster Risk Reduction. We, the people of the United Nations have committed ourselves to these frameworks to improve the wellbeing and livelihoods of our peoples.

In these global agreements, the safeguarding and advancement of human rights is a cross-cutting issue, which are clearly recognised. For instance, in SDG 5 on gender equality and empowerment of all women and girls and in the Paris Agreement acknowledged climate change as a common concern to humanity and therefore when taking action to address climate change, Parties to respect, promote and consider their respective obligations on human rights, the right to health, the rights to indigenous peoples, local communities, migrants, children, persons with disabilities, and people in vulnerable situations and gender equality and empowerment of women.

In my delegation’s view, those global multilateral frameworks again reaffirm the UN Member States and other stakeholders strong commitment towards the strengthening and protection of fundamental principles and values of universal human rights as enshrined in the *Universal Declaration of Human Rights and the Charter of the United Nations* and other existing human rights instruments.

**Mr. President**,

No country is a “Saint”, in the context of upholding and protecting the fundamental and inherent human rights of their citizens and Papua New Guinea is no exception. We have our strengths and challenges on human rights protection and advancement. This is why we have the UPR as a robust global checks and balance mechanism that is universally accepted to take stock of the human rights issues and serves as beacon of hope for humanity.

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One of the fundamental differences between Papua New Guinea’s 2011 UPR and the 2016 UPR is that today we have approximately over seven and half million citizens unlike in 2011. Hence, the greater the challenge of ensuring that the inherent and fundamental human rights of all our citizens and foreign visitors alike are respected, upheld and promoted.

Papua New Guinea’s National Constitution underpins the protection and promotion of human rights as a sacrosanct principle that is enduring and we remain steadfastly committed to it. It encompasses all the rights and freedoms articulated in the Charter of the UN and particularly the Universal Declaration of Human Rights. The human rights and freedoms of individuals are also subject to the respect for the rights and freedoms of other persons and for legitimate public interests.

As Papua New Guinea embarks on implementing the Sustainable Development Agenda and other global agreements, under the auspices of our “National Strategy for Responsible Sustainable Development” and further guided by our Medium Term Development Plan and the long-term strategic “Vision 2050” development roadmap, for a prosperous, secure, healthy, peaceful and progressive nation; the importance of ensuring the fundamental and inherent rights of our citizens continue to remain central.

For Papua New Guinea, the key to realizing the enhancement of our citizens human rights and freedoms whilst ensuring sustainable development goals also hinges on fostering the right enabling environment. These includes ensuring there is rule of law, good governance, human and institutional capacity building to safeguard and promote human rights, sustained economic growth, the promotion of peaceful and inclusive societies and the protection of the natural environment and combating climate change and fostering genuine and durable multistakeholder development partnership, guided by national ownership and leadership on human rights protection and promotion and national development agenda.

**Mr. President**,

At the global level, Papua New Guinea’s efforts to safeguard and protect human rights are consistent with and guided by our international commitments and obligations under several multilateral frameworks, including the *Universal Declaration of Human Rights, the Charter of the United Nations, the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic and Cultural Rights (ICECR), the Convention on the Elimination of Discrimination Against Women (CEDAW), the Convention on the Rights of the Child (CRC), Convention on the Rights of Persons with Disability (CRPD); the Convention on Elimination of Racial Discrimination; and the 1951 Refugee Convention and its 1967 Protocol.*

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I would reiterate that Papua New Guinea’s resolve for human rights commitments and obligations remain unwavering.

**Mr President**,

Let me turn to Papua New Guinea’s human rights achievements since the last UPR in 2011.

Firstly, in the context of international human rights instruments ratification, my delegation is pleased to report to this Council that Papua New Guinea ratified the Convention on the Rights of Persons with Disabilities (CRPD) on 26 September 2013.

To guide and implement the CRPD, we have also established a National Disability Policy 2015 – 2025 that recognizes the enactment of national legislation to protect persons with disabilities; we have also introduced sign language as the fourth national language for all Government programs, and set up of an office to support the implementation of the CRPD. There is also an ongoing efforts in partnership with our development partners from Australia and Japan to establish database for persons with disabilities and currently this is piloted in three of our 22 provinces.

On the issue of the 1967 Protocol to the 1951 Refugee Convention, Papua New Guinea, in 2013, expressed its intention to withdraw all of its seven reservations to the Protocol relating to the Status of Refugees. This is pending completion of domestic processes and formalities. A new National Refugee Policy was inaugurated in October 2015 and guides the country’s efforts in relations to refugees. This includes working with Australia on the Manus Processing Centre in the light of the recent Papua New Guinea Supreme Court Decision to close the centre.

In summary, Papua New Guinea has so far ratified a total of seven international human rights instruments.

We are also working towards ratifying the Convention Against Torture (CAT) and its Protocol. Similarly, we have commenced the process to ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.

My delegation would nonetheless, note that in 2013, Papua New Guinea criminalized offences against Trafficking in Persons in its domestic penal code and set in place an Action Plan 2015-2020 and Standard Operating Procedures (SOP) for the identification, referral and prosecution of human trafficking cases in the country. Both the Action Plan and SOP are awaiting Cabinet approval.

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Additionally, Papua New Guinea intends to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, given the increasing labour mobility in a highly globalized world and to ensure its citizens are protected from immigration related issues.

**Mr President**,

Secondly, Papua New Guinea continues to constructively engage with Human Rights Special Rapporteurs. Over the past decade, Papua New Guinea invited and facilitated four human rights Special Rapporteurs and several recommendations from their visits have been implemented domestically. The Special Rapporteur on Violence against Women, its causes and consequences visited Papua New Guinea in March 2012 and subsequently the Special Rapporteur on Extrajudicial, Summary or Arbitrary Execution visited the country in March 2014.

Their respective recommendations are being considered by Papua New Guinea and in certain areas including detainees’ treatment and gender-based violence, specific national actions are well underway. For instance, Papua New Guinea has institutionalized human rights training of law enforcement officers with commendable support from the International Committee of the Red Cross and Australia; the enactment of Juvenile Justice Act in 2014 that safeguards juveniles, including especially females in custody or detention; and in 2013 criminalized gender-based violence through the enactment of the Family Protection Act.

We are also considering the request by the Special Rapporteur on the human rights of migrants.

**Mr President**,

On the issue of violence against women and girls and gender-based violence in Papua New Guinea, the exact extent is unclear because there is lack of credible official data and statistics currently available. However, general prevalence rates indicate that this is still at an unacceptable level and continues to be of serious concern to Papua New Guinea.

Papua New Guinea recognizes that there is no place for violence against women and girls and gender-based violence in our communities and homes. Eliminating this is the core focus and must be everybody’s business and not just for the Government and a few. Violence against women and girls and gender-based violence elimination is also a precursor and cornerstone for sustainable development. We recognize that much more efforts are required from all stakeholders.

It is for these reasons that Papua New Guinea has prioritized and is committed to combat violence against women and girls and gender-based violence at all levels.

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So, what has Papua New Guinea done to address these increasing concerns since 2011?

Firstly, Papua New Guinea has criminalized gender-based violence in 2013 by enacting the Family Protection Act. This provides for the prosecution of domestic violence and issuance of family protection orders for victims of domestic violence, including the prohibition of gender-based violence perpetrators from entering homes or interfering with the victims of abuse until the legal proceedings are completed.

Complementing our efforts against Gender Based Violence in the country is also done through the application of the Lukautim Pikinini Act 2014, which also criminalises underage marriage (children under 18 years old) whilst the Criminal Code provides for ciminalisation of marital rape and attempted rape.

The establishment throughout the country of Family and Sexual Violence Centers (17), with the generous support of our development partners, particularly Australia, is a helpful tool against GBV in the country.

This are also linked to the work of the Police and health authorities in helping victims of sexual and GBV violence, including access to justice, medical care and services and rehabilitation and recovery.

A complementary and commendable supportive work against GBV is provided by the civil society in the country, especially in urban areas. This is where “Safe Houses (House Ruth)” are provided for short-term protection and accommodation of the victims of GBV.

Secondly, a key measure against GBV that Papua New Guinea has deployed is the enhancement of gender equality and empowerment policies, strategies and the establishment of a multi-sectoral technical Working Group mandated to develop a Sexual and Gender-Based Violence Strategy.

The new Gender-Based Violence National Strategy (2015 – 2025) has been developed and is in its final stages for Cabinet approval. This is intended to institutionalize and enhance all initiatives and efforts against GBV in a comprehensive and effective way for the attainment of the ultimate objective of zero-tolerance of GBV in the country.

This covers preventive measures, the provision of services to affected victims, and strengthening human and institutional capacity to combat GBV in the country. It will succeed the existing Gender Policy, which addresses some aspects of gender issues.

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Since 2013, Papua New Guinea’s Public Service institution established the Gender Equality and Social Inclusion Policy (GESI), with leadership provided by the Head of the Public Service. This is a platform for mainstreaming and empowering women and girls within the Public Service by specifically providing targeted capacity building and training for women and girls to be leaders in the Public Service and the wider community. It also caters for the protection of women and girls from GBV, abuse and exploitation in professional settings.

Another notable avenue in Papua New Guinea through which women and girls are empowered to combat GBV is the provision of enabling environment for them to access capital and other resources from the recently established National Women’s Micro Bank and the National Development Bank. The Women’s Micro Bank is dedicated to supporting only women for projects that they want to undertake with minimal conditions.

The informal sector, where the majority of women and girls generate income for them and their families, is also promoted under the 2016 Small-to-Medium Enterprises Policy and the recent Informal Sector Promotion Policy.

Also in partnership with our development partners such as UN Women and Australia, the initiative of “Safe Cities Free of Violence Against Women and Girls” at markets and public transport for women and girls has been promoted and is proving to be beneficial, including in combating violence against women and girls.

Papua New Guinea is also in the process of reviewing its laws to protect women and girls against discrimination and GBV and to foster gender equality and empowerment. This includes the harmonization of the Convention on the Elimination of All Forms of Discrimination Against Women with domestic laws.

**Mr President**,

In the context of women’s political representation, leadership and decision-making in Parliament and lower levels of government and administration in Papua New Guinea, positive progress is being made but more efforts are needed.

Since the last UPR, the following are major achievements in Papua New Guinea, which are fostering women’s leadership and representation in high political and other managerial levels in the public and private sectors:

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Firstly, the enactment of a Constitutional Amendment for Equality and Participation, for increasing women’s representation in Parliament. The Bill on Equality and Participation remains to be adopted. Despite this, the Organic Law on Provincial and Local-Level Government also provide for the nomination of women to be represented at the provincial and local levels.

Secondly, in 2013 the National Council of Women Act was enacted. This provides for equal participation in political and public affairs in the country.

Since 2012, and for the first time-ever, Papua New Guinea has three elected female leaders in the National Parliament, one of whom is a Cabinet Minister holding the portfolio that deals with women and girls issues and another is a Governor of one of the most populous provinces in the country. At the provincial and local government levels, there has been a marked increase in women in leadership positions. At the Judicial level, we have also increased the number of female judges to the higher Courts in the country from 1 to 5, compared to years preceding 2011.

**Mr President,**

On the issue of sorcery-related killings**,** thisremains a concern for Papua New Guinea. However, strategic interventions have been undertaken by Papua New Guinea. This includes the repeal of the 1971 Sorcery Act in 2012 and the enactment of related relevant law in 2014, which criminalizes killings related sorcery.

Additionally, in 2015 a National Action Plan Against Sorcery and Witchcraft and related Violence was approved. It is intended to address issues concerning sorcery and witchcraft related violence and killings in the country through multistakeholder partnerships.

This is further supported by the establishment of National and Provincial Committees to ensure implementation of the Law and Plan to combat sorcery and witchcraft-related killings and violence.

**Mr President,**

In further fostering the rights of children in Papua New Guinea, the Government of Papua New Guinea has enacted the Lukautim Pikinini Act 2015 to strengthen the implementation of the Convention on the Rights of the Child in the country.

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Furthermore, in recognition of the importance of educating all of our children and to give them basic literacy, numeracy and life skills to equip them for life, since 2012, Papua New Guinea has implemented Tuition-Fee-Free universal primary education and subsidized secondary and tertiary education.

As I indicated in my earlier remarks, Papua New Guinea has also enacted the Juvenile Justice Act in 2014 to ensure that child offenders, especially females, are protected and to rehabilitate and reintegrate them into society for a productive and healthy life.

An important initiative that Papua New Guinea has embarked upon since 2014 is to ensure that all children are registered at birth under a National Identity Card Project, which is currently underway. This also includes all citizens of Papua New Guinea.

To further enforce the ban on corporal punishment against children, in particular, Papua New Guinea is strengthening efforts to implement the Good Behaviours Management Policy adopted in 2009.

 **Mr President**,

In the context of the nexus between law and justice and human rights, especially in relation to the issues relating to the conduct of law enforcement officers in Papua New Guinea, this is a continuing concern. It is clearly recognized that no one is above the law, including law enforcement officers.

This concern is now been vigorously addressed by the Government of Papua New Guinea, where 2016 has been declared as a year of discipline and zero-tolerance of law enforcement officers victimization of citizens and or detainees. Law enforcement officers who abuse their powers and authority have increasingly been disciplined, including charged, demoted, suspended or terminated from employment.

As part and parcel of addressing this issue, human rights training has been instutionalised in the activities of law enforcement officers with support from the National Ombudsman Commission and development partners, including ICRC, Office of the High Commissioner for Human Rights and Australia.

Another important recent development for further strengthening human rights safeguards in Papua New Guinea relates to the establishment since 2011 of a specialized National Court Human Rights Track within the National Judicial system to deal with enforcement of human rights issues under the National Constitution, including remedies for violations and abuses. This includes simplification of Court proceedings that are solely focused on human rights and for justice to be expeditiously served.

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Additionally, the issue of providing enhanced access to legal and judicial services in the country has been proritised under the Law and Justice Sector. The Government is now providing access to justice in rural and remote communities through establishment of over 1,600 village courts and over 16,000 village court officials including peace officers who are mainstreamed into the public sector payroll. This is where peace and security and minor crimes are dealt with whilst major cases are referred to higher courts. Training and capacity building, including on the Family Protection Act and related human rights laws for the rural based officials is an integral part of this important exercise.

On the issue of combating corruption, in 2012, a Constitutional Amendment establishing the Independent Commission Against Corruption (‘ICAC’) was instituted and in 2015 the Organic Law for the establishment for the ICAC is before the National Parliament to consider.

**Mr President**,

Papua New Guinea also recognizes that the human rights issues my delegation has outlined could also be better served through the establishment of an independent National Human Rights Institution in accordance with the Paris Principles. Papua New Guinea’s commitment to formalizing this pertinent institution remains steadfast and we are working towards its realization.

**Mr President**, I will now briefly discuss the main challenges faced by Papua New Guinea in the implementation of its human rights commitments and obligations and possible way forward in addressing them.

Firstly, the lack of human and institutional capacity, which is further compounded by unfamiliarity with practical workings of particular human rights international commitments and the plethora of burdensome reporting requirements remains an ongoing challenge.

This would require strengthening efforts at the national level, including appropriate technical and capacity building training in-country and abroad on key human rights issues; and by breaking down internal silos for coherent and coordinated efforts to follow-up reporting and related activities; and simplifying reporting templates for the various human rights conventions would be highly useful.

Another factor is that resource constraints continue to be an impediment to fully implement human rights commitments and obligations.

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Whilst measured efforts are been made by Papua New Guinea in committing resources for human rights protection and promotion in the country, this remain inadequate given the diversity of demands on limited resources.

Papua New Guinea is appreciative of the many bilateral and multilateral development partners who continue to work cooperatively and constructively with us in taking forward the important human rights agenda in the country. Papua New Guinea stands ready to work with all development partners who are willing to support the country enhance human rights safeguards and advancement.

Furthermore, the inadequacy of credible and accurate data and statistics on human rights related issues in the country compounded by the absence of a centralized data storage and analytical medium remains a major hurdle. This requires national review and stocktake on how best this work could be done effectively. Papua New Guinea would also welcome appropriate technical, financial and other resources support for development partners in the collation and interpretation of human rights data and statistics.

Finally, the rich diversity of Papua New Guinea in the context of multilingualism (over 800 distinct languages), cultures and traditions, as well as geographic terrain challenges creates effective communication barriers as it relates to translating and or transcribing human rights issues country-wide.

Whilst being mindful of the potential costs involved, a possible way forward could be to support the use of simplified human rights messages in the official (English) and national languages (Motu and Tok Pisin) and in sign language as part of school curriculum and in other places.

**Mr President**,

In closing, Papua New Guinea’s UPR Second Cycle Report before this august body reaffirms the Government of Papua New Guinea’s steadfast commitment to upholding, safeguarding and advancing the fundamental and inherent human rights and freedoms consistent with its international and national commitments and obligations.

It is Papua New Guinea’s view that the UPR process is a useful one that strengthens national efforts on human rights protection and enhancement.

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Finally, Papua New Guinea values the partnerships forged with our development partners in addressing human rights issues and going forward, we stand ready to continue to engage constructively with all relevant stakeholders including from the civil society.

My delegation looks forward to the ensuing interactive dialogue with the UN membership and other statakeholders as well their recommendations. We will take due note of these and fully respond to them at a later stage.

I thank you, Mr President.

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