

**PAPUA NEW GUINEA OPENING STATEMENT**

**BY**

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**&**

**HEAD OF THE PAPUA NEW GUINEA DELEGATION**

**TO THE**

**39TH SESSION OF UNITED NATIONS HUMAN RIGHTS COUNCIL**

**UNIVERSAL PERIODIC REVIEW (UPR) THIRD CYCLE**

**GENEVA, SWITZERLAND**

**04 NOVEMBER 2021**

**Madam President, Excellences, distinguished members of the Human Rights Council, fellow delegates, ladies and gentlemen;**

Warm goodwill greetings to you all from Papua New Guinea. It is noteworthy that unlike our two previous UPR presentations in 2012 and 2016, we meet today in a virtual format, as a result of the impacts and unprecedented challenges posed by the COVID-19 pandemic.

Notwithstanding this, I am honored and pleased to, on behalf of the Government of Papua New Guinea, and that of my delegation, take this opportunity to say thank you to Madam President of the Human Rights Council for your commendable leadership of the Council’s work and particularly for convening this important meeting today to consider the 3rd cycle of the Universal Periodic Review on the situation of human rights in Papua New Guinea.

We value the important contributions from the members of the Human Rights Council and particularly the Troika Members of our UPR; namely, the distinguished delegations of Eritrea, Fiji and Venezuela.

Similarly, we are appreciative of the Secretariat’s supportive work in facilitating this process.

My delegation welcomes the keen interest shown by the members of the Council, other UN Member States, as well as other stakeholders, including civil society, on the human rights issues in Papua New Guinea since the last UPR in May 2016. And this has been attested by the Advance Questions provided to us by most of you present today.

I assure that Papua New Guinea is ready to engage constructively with the Council, including our Troika Members and the Rapporteur assigned to oversee Papua New Guinea’s UPR Third Cycle, as well as the wider UN membership and other relevant stakeholders, including civil society.

**Madam President,**

Today’s UPR examination for my country, Papua New Guinea, is taking place with the backdrop of the devastating multifaceted and unprecedented impacts of the global COVID-19 pandemic, which continues to evolve. Papua New Guinea’s UPR preparations have been derailed resulting in the delayed submission of our UPR Report to the Council.

Not only has COVID-19 severely impacted adversely the national, regional and global socio-economic, political and environmental landscape and development aspirations, it has also brought to the fore serious ramifications for human rights such as the freedom of movement, the freedom of choice, the right to association and the right to life.

In exposing the frailties of the existing systems and frameworks in the country and at the global level, the COVID-19 pandemic has also underscored the importance of safeguarding human rights and dignity for all without distinction of any kind, such as race, sex, creed and opinion.

It also highlighted the importance of working together as partners at all levels and in a sustained way to address the various issues confronting human rights.

**Madam President,**

It is with this backdropand also bearing in mindthefoundational building blocks, including the Constitution of Papua New Guinea and the existing international and domestic human rights frameworks, commitments and obligations and development priorities that my delegation presents to this Council its Third Cycle of the Universal Periodic Review of the state of human rights in Papua New Guinea.

***Rights of Person’s with Disability***

In terms of the rights of persons with disabilities, my delegation is pleased to inform the Council that subsequent to Papua New Guinea’s ratification of the Convention on the Rights of Person’s with Disability (CRPD) in 2013, a 10-year National Policy on Disability (NPD) 2015 – 2025 was established. The overall aim of the National Policy on Disability is to improve the welfare of persons with disabilities and to translate CRPD implementation at the national level. Its vision is to ‘Remove Barriers, Make Rights Real.’

Since the 2016 UPR, notable developments in Papua New Guinea in addressing the needs of persons with disabilities include designing infrastructure and facilities with consideration for the special needs of people with disabilities to access buildings with ramps for wheelchair access, dedicated toilet facilities, designated parking spots and accessible banking facilities.

The Papua New Guinea Government is also in the process of finalizing a Disability Authority Bill and working towards its adoption in 2022. This Bill is aimed at ensuring full and equal enjoyment of human rights by all persons with disabilities. Furthermore, a Disability Authority Office has been established with the mandate to implement the provisions of the National Policy on Disability and CRPD.

Another notable progress has been the establishment of sign language a fourth official language in conferences and televised news Programme. It is being taught in some private schools and the Red Cross for children with special needs.

Other services include hearing aid services provided by Callan Services PNG, and disability prevention through health and rehabilitation, inclusive education and social support services to persons with special needs by the Cheshire Disability Services PNG.

***Women’s Rights: Recommendations 52, 67-68, 73***

**Madam President,**

Since the last UPR report in 2016, protecting and promoting the rights of women and girls has featured significantly in the Government of Papua New Guinea’s development agenda. This was further consolidated through the landmark visit to Papua New Guinea in March 2020 by the UN Deputy Secretary-General, Her Excellency Ms. Amina Mohammad, which coincided with the International Women’s Day celebrations and importantly the launch of the European Union-led Spotlight Initiative to combat gender-based violence in the country.

My delegation is pleased to inform that the rights of women and girls in the country were further boosted by the establishment of a bipartisan ‘Coalition of Parliamentarians Against GBV’ following a ‘High Level Meeting on GBV’ in August 2020. The Coalition includes 20 of PNG’s 111 (all male) members of parliament and has been active on social media and in declaring their commitment to support change.

The ‘First Annual Summit on Ending GBV in PNG’ was held in November 2020, and a Special Parliamentary Committee to ‘inquire into issues related to GBV’ was later established. The Committee comprises seven Members of Parliament. It opened its inquiry in May 2021 with a call for written submissions and two days of public hearings at Port Moresby’s iconic APEC Haus. It held judicial hearings from April to June 2021 on combating gender-based violence in the country. The Committee presented a report on 12 August 2021 with more than 70 recommendations for immediate action by the Government. One of the recommendations included the proposal for 5 reserve seats for women in the next Parliament.

This Committee is supported by the Office for the Development of Women (ODW) which was established in 2005 within the Department for Community Development and Religion (DFCDR). The Office for the Development of Women is mandated to address two key areas related to the Social Sector, which is responsible for social and political empowerment of women and the Economic Sector, which is responsible for women’s economic empowerment.

**Madam President,**

An ongoing major challenge in Papua New Guinea relates to empowering and promoting inclusive and equal participation of women in the political arena, particularly at the National Parliamentary level.

The Organic Law on the Political Parties and Candidates caters for this need by encouraging Political Parties to register women candidates to contest the general elections but with limited success in having many female candidates voted into Parliament.

The five reserve seats recommended by the Parliamentary Committee on Gender-based violence is expected to enable one female candidate among contesting women candidates in the four (4) national geographical regions and the National Capital Districts who score the highest number of votes in her respective electorate during the National General Elections to represent women from their region in Parliament. This arrangement is expected to take effect in the General Election in 2027.

Papua New Guinea is also pleased to report that the number of women contesting elections at all levels of political representation is increasing. At the Local Level Government (LLG), several women have been elected as Ward Councilors and currently serving a term of 3 years. Of the 18,480 village court officials, 1,500 are women who have been reported to be very effective in their roles and also as advocates for social order, human rights and peace within their communities.

In terms of bureaucratic leadership, the National Public Service ‘Gender Equity and Social Inclusion Policy’ (GESI) sets a framework for promotion of gender equity and social inclusive practices across the National Public Service. The GESI Policy has been developed to address a number of issues in which individuals are directly or indirectly being disadvantaged or discriminated against, including people living with disabilities, HIV/AIDS, discrimination on the basis of nationality, race, ethnicity, gender or other personal attributes.

In spite of this, there is a gap in representation and participation of women at the highest level of representation and decision making in the National Parliament.

**Madam President,**

I am also pleased to inform this Council that women’s economic empowerment remains another key priority of the Government. This aspiration is featured in the country’s MTDP III (2018 – 2022) under Key Result Area 1 of Increased Revenue and Wealth Creation. Having noted the gender imbalance in both the formal and informal sectors; more effort is now being vested into the informal sector which involves more women.

This aspiration is featured in the country’s MTDP III (2018 -2022) under Key Result Area 1 of Increased Revenue and Wealth Creation. There are few women that own established businesses but most are operating in the informal sector.

In 2018, a total of 200 village women were trained by Department for Community Development and Religion in processing coconuts into marketable products like virgin oil. A further 500 from the different regions of the country were invited to showcase their products at the regional exposition organized to build their capacity in product development, improvement and marketing. In the recent national dialogue in the lead up to the UN Food Summit in September; more women from the informal sector were engaged to share their experiences and success stories on entrepreneurship in agriculture and food security.

The Department of Community Development and Religion has been working closely with relevant Government agencies and civil society stakeholders to protect and promote the rights of women and their active participation in national development through awareness campaigns, gender forums and conferences to involve men and boys to take lead in ending violence within their communities.

**Madam President**

Papua New Guinea’s ongoing challenges in protecting and promoting the human rights of women and girls to access quality and affordable health and education services is also guided by the principals of CEDAW.

Nonetheless, there is also progress in identifying health and social vulnerabilities that affect the rights of women and girls so that appropriate policies are designed to address these needs. For instance, the National HIV/AIDs Strategy recognize GBV as a major factor in HIV vulnerability hence, the HIV response in PNG includes a framework and guidelines for mainstreaming gender issues into design, planning and implementation, and monitoring and evaluation

Papua New Guinea continues to strive towards building an equitable and inclusive society that protects and promotes the human rights of women and girls in in its socio-economic and political endeavors. The National Policy on Disability (2015-2025) focuses on the welfare of women and girls with disabilities. It fosters anti-discrimination measures, disability-friendly infrastructure and accessibility, and promotes social equity at all levels. These are aimed at improving access to all basic services including education, health, information, employment, transportation, access to justice and other services for all regardless of gender, race and nationality.

The PNG Assembly of Disabled Persons has set up a desk for women living with disability to strengthen institutional links with other organizations with similar mandates, such as the National Council of Women (NCW). In particular, a major priority under the strategy on Advocacy, Rights and Responsibilities of the National Policy on Disability (2015-2025) is to provide advocacy for women with disabilities.

***Violence against Women: Recommendations 97, 118, 120***

**Madam President,**

Papua New Guinea also notes the increasing global interest in the reports concerning violence against women, as per the recommendations of the 2nd UPR Cycle report.

In that context, two (2) major areas of continuing concern for papua New Guinea relate to sorcery-related killings and gender-based violence. However, we are pleased to inform the Council that for the first time, the Government has established a Parliamentary Committee devoted to provide a clear avenue of legal recourse for women who experience rape within marriage and other GBV through a tougher enforcement of the Family Protection Act (2015), Family Protection Regulation (2017), and Amended Criminal Code Act (2002); resulting in increased reporting of cases and severe penalties for offenders.

In addition, the challenges of family and sexual violence and all forms of domestic violence are now addressed through the Lukautim Pikinini Act (Child Protection Act) 2015 in close liaison with the above legislations to apply substantial penalties for sexual offences and crimes against children and women based on the degree of the offence.

As of 2016, the Government established the ‘National Strategy to prevent and respond to Gender Based Violence’ (2016–2025), aimed at strengthening and institutionalizing all initiatives and work on gender-based violence in order to achieve zero-tolerance towards gender-based violence.

The National GBV Secretariat was also established the same year (2016) as the central implementation, coordination and monitoring point for activities by stakeholders, including development partners at all levels.

These activities include the different services for the referral pathways, counseling and capacity building for survivors and perpetrators; and the establishment of Safe Houses nationwide.

**Madam President,**

Papua New Guinea has made significant strides on combating gender-based violence though much more work is required.

Since 2016, the GBV Secretariat has been involved in conducting awareness and advocacy on GBV issues; organizing Men’s Forums to focus on men’s role in addressing GBV; and the establishment of GBV Secretariats and Committees at the Provincial levels. These programmes are being rolled out in four (4) pilot provinces (Morobe, Milne Bay, National Capital District and East New Britain) of the country.

To complement this effort, the Department of Health in conjunction with the Family Sexual Violence Action Committee (FSVAC) established Family Support Centers (FSCs) in major hospitals and health centers throughout the country to provide a comprehensive response to medical and psychological needs of survivors through the provision of following essential services free of charge:

* Medical First Aid;
* Psychological First Aid;
* Prevention of HIV/other Sexually transmitted infections;
* Prevention of Unwanted or Unintended Pregnancies; and
* Prevention of Hepatitis-B and tetanus or other life-threatening medical conditions and paralegal advise.

Currently, there are 28 Safe Houses and a Men’s Hub provided for GBV victims in 17 Provinces and 14 family support centers in 13 Provinces of the country. However, there more needs to be done in this area in terms of adequate resourcing in infrastructure and judicial services to provide for victims with physical protection, medical attention, and psychological rehabilitation.

Nevertheless, Papua New Guinea has made progress in addressing some of these gaps since 2nd UPR Cycle report. In 2016 and 2017 respectively, 33 Human Rights Defenders (HRDs) in 3 electorates in the National Capital District were trained on SOP and GBV Data collection to equip them with GBV Response tools such as SMS Alert phones, ID Cards and uniforms with HRD manuals to effectively carry out their duties.

In addition, the Royal Papua New Guinea Constabulary (Police) has commenced transforming its Family Sexual Violence Unit into a fully-fledged Directorate within the Crimes Division.

Its expanded role includes addressing victims of domestic violence. The Unit has 33 established desks in 17 provinces, with 88 policemen and policewomen engage in this work.

***Child’s Rights - Child Protection: Recommendation 54 and 119***

**Madam President,**

In terms of Papua New Guinea’s commitment as a State party to the Convention on the Rights of the Child (CRC) and relevant ILO Conventions that ensure the protection of the rights of children, progress on Child Protection policies are guided by both domestic and global standards.

PNG ratified the ILO Child Labor Conventions No.138 (Minimum Age) 1973, and No. 182 (Worst forms of Child Labor) 1999 which provides the framework of action to abolish worst forms of child labor and ensure that special programmes are introduced to children who are at high d risk of exploitation.

In response to the recommendations in the 2nd UPR Cycle report, the Government established the National Action Plan to Eliminate Child Labor (2017-2020) and the Decent Work Country Programme (2018-2022) to commit to protecting human dignity and working conditions, including child labor.

Due to the lack of substantive data, a measured progress on the actual implementation of these policies remains unclear.

Meanwhile, a review of the Employment Act and the Informal Sector Control Management Act (2004) is currently underway to explicitly address all forms of child labor.

I am also pleased to inform that the Government recently launched a National Youth Development Policy (2020-2030) which aims to address gaps identified in the policy and legislative environment and in programming for youth.

The previous programme, National Youth Policy (2007-2017), sought to provide youths aged 12-25 who are ‘out-of-school’ are further empowered through the which provides youth programs aimed at encouraging self-employment and income-generation.

***Recommendations 96-108, 110-112, 116-118, and 132-134***

**Madam President,**

The right of the Child, as enshrined in our national Constitution as a human right of the citizens, is also protected through the enforcement of the *Family Protection Act* (2013).

Having noted that lack of knowledge and information on human rights legislations often mars effective implementation; awareness programs in the referral pathways were conducted in 2017 for child welfare service providers.

From 2018-2019, awareness focused specifically on village court officials including Magistrates, Clerks and peace officers to inform them of the additional powers they have under the FPA and Family Protection Regulation (2017) to issue Interim Protection Orders (IPO).

The Regulation criminalizes all forms of violence within the family unit, recognizing domestic violence as a crime punishable by law with a fine up to PGK10, 000 equivalent to USD2, 900 or 6 months imprisonment. This creates a regime for issuance of Family Protection Orders to deter and prevent violence at all levels of society.

As a result, statistics from NDC FSVAC alone recorded a total number of 414 cases reported in 2017 of which 318 involved female adults, 48 adult cases and 47 cases involving children. Actual recorded cases in the same year totaled 600; however unreported incidents may push the records higher.

Under the Family Protection Act awareness program, a total of 360 Village Court officials in Southern Highlands, Autonomous Region of Bougainville, Morobe and Oro Provinces received basic training.

In 2020, refresher training was conducted with more emphasis on ensuring that village court officials are familiarized with appropriate documentation in dealing with complaints on domestic violence.

The Department of Justice & Attorney General (DJAG) has developed Information Education and Communication (IEC) materials (information kit) on the provisions of the FPA for partner agencies and the general public using simple English.

***Human rights and the Environment***

**Madam President,**

Another important human rights area is the link with the environmental issues. This includes natural resource ownership and prior informed consent to harvesting the resources.

In Papua New Guinea the Conservation and Environment Protection Authority (CEPA) is mandated to address environment protection whilst taking into account the rights of indigenous communities. A stringent screening process is in place to deal with matters relating to issuing environment permits to logging companies or proponents.

All consultations held are recorded, landowners identified, registered ILGs noted and above-all, landowners, consent to the project to be developed.

This is achieved through land use agreements and other subsidiary agreements such as benefit sharing.

CEPA also conforms to other environmental laws such as biodiversity protection and conservation laws, and international environment and biodiversity protection conventions, when assessing the Environment Impact. PNG is also a State Party to various international conventions which relate to environment protection:

* Convention on Biological Diversity (CBD) – 1993 ratified in 1993 is aimed at protecting the Earth’s biological diversity. The Government is currently making necessary arrangements to accede to the Nagoya Protocol on Benefits sharing, a process we seek to conclude by 2021.
* Convention to Combat Desertification (CCD) – 2000 aims to deliver a new integrated approach to solving the problem of land degradation and to support sustainable development at community level.

Large scale projects fall under three main categorizes: (a) mining and extractive industry; (b) forest harvesting and land clearance (large scale clearing and allowable cuts >70,000 m3/year); and (c) Petroleum and gas production and processing.

The independent auditing of these operations on a routine basis ensures that the management of the environment during the life span of the project employs good management practices and principals.

This is to ensure the projects are complying with national and international environment standards. CEPA’s regular internal monitoring ensures that environmental permit conditions are not breached. For instance, the Ok Tedi Environment Management Act 2019 authorizes CEPA to regulate the Ok Tedi mine waste disposal. All fees will be paid to CEPA to undertake regular compliance, monitoring and independent auditing.

As per the environment permit conditions, the permit holders are encouraged to set aside protected areas through biodiversity offset schemes.

The draft PNG Protected Area Bill calls for such arrangement including sourcing international funding assistance. A Regulation will be drafted for the establishment of the Biodiversity Trust Fund, where all donor funds and other funds received will be kept in this trust for the purpose of protecting PNG’s unique biodiversity.

In addressing the issue of mitigating adverse impacts of logging industries on local populations, the Government continues to engage in stakeholders’ consultations as a key component of the Environment Impact Assessment (EIA) process.

Traditional landowners are an important stakeholder in this process.

All objections to the Environment Impact Statement are carefully screened and analyzed to ensure no stakeholder is left out in this vital decision-making process. Issues on gender, social disorder, vulnerability, wealth creation and equal participation are some of the key areas that are extensively discussed and deliberated on.

In 2020, the Government introduced the National Oceans Policy and established an Oceans Office. It is currently working to establish a Marine and Scientific Research Committee (MSRC) comprising of all relevant Government agencies to regulate marine scientific research activities in the country. Once fully operational, the MSRC will complement implementation of the Nagoya Protocol on Access to Benefits Sharing of genetic resources extraction and use and reinvigorate the maritime policies on environmental protection and conservation.

The Nagoya Protocol will be complimented by the role of the MSRC to regulate the extraction and use of genetic material for research purposes.

**Madam President and Excellencies;**

In closing, we look forward to the interactive discussions to follow and also appreciate the advance questions from several Member States which raises important issues on human rights and dignity of our people. We will address in a preliminary way some of those issues together with others that will be raised on the floor.

Let me also take this opportunity to highlight that Papua New Guinea’s UPR report stems from an inclusive and consultative multistakeholder process, encompassing the entire country. It also involved Government agencies who are directly involved in the implementation of the recommendations from our previous UPR Cycles.

It takes into account the realities on the ground, including challenges that hinder progress and the opportunities that enable improvement of the situation of human rights issues in Papua New Guinea.

Having noted this, Papua New Guinea assures the Council of its commitment to protecting and promoting the rights and liberties of its citizens, consistent with our existing national and international human rights commitments and obligations.

We are of the firm view that safeguarding, respecting and advancing the human rights of our people is the cornerstone to a better, prosperous, secure and peaceful Papua New Guinea now and in future.

We will continue to work earnestly to ensure that our choices and decisions are based on democratic values and principles that are aligned to our context and needs.

I would also note that we remain realistic of the ongoing challenges in better fostering the human rights for all of our people. This requires sustained partnerships at all levels and in a transparent and respectful way. We are therefore ready to work with our development partners in critical areas of priority for us.

Let me also use this occasion to convey our deep gratitude to our many bilateral and multilateral development partners and also from the private sector and civil society for the support in fostering and strengthening human rights in Papua New Guinea.

Finally, we look forward to the recommendations from this UPR Third Cycle and pledge to do our best in addressing them, together with those from the previous cycles.

I thank you.