



PAPUA NEW GUINEA

UPDATED ASSESSMENT OF R2P IMPLEMENTATION 2023



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Papua New Guinea (PNG) faces a large issue in SGBV, as the women in PNG are estimated to endure the highest levels of such violence anywhere in the world despite the sustained focus on the issue by the government.

The PNG has one of the most diverse and vibrant civil societies in the Pacific. Freedom of speech and assembly is generally respected, but it is challenged by the corruption in the government and judicial branches. The judicial system is in particular problematic, as the corruption has meant it is both common and accepted for criminal matters to be settled in parallel systems.

Implementation of R2P is difficult due to poverty. Based on the current trajectory, it is likely implementation of R2P and human rights protections will be higher as the levels of poverty decrease, but in the present it is a condition of the country impacting priorities and opportunities.

There is support for, although not yet, a human rights institution in PNG. The country participates actively in international human rights activities, such as the UPR.

Internationally, PNG has a mixed record. It has domestically criminalized several atrocity crimes, but not joined the Rome Statute. It does not actively seek to further R2P in dialogues or in regional organizations, but it does generally vote in favour of R2P in the UN.

PNG remains a committed and active participant in the Pacific Islands Forum and a supporter of other Pacific nations, which is especially clear in PNG support to Solomon Islands.

Its index is unchanged from 2022.

Thematic Area	Indicator	Assessment	Notes
Basic Compliance	Protection of populations from atrocity crimes.	Strong Unchanged	PNG faces many domestic challenges, including poverty, corruption and high levels of SGBV. These factors all play into a highly unstable environment within PNG that increase the risk of atrocity crimes occurring.
	Reduction of atrocity crime risks.	Fair Unchanged	The issues mentioned above, coupled with the aftermath of the COVID-19 responses, means there is a sizable risk of atrocity crimes occurring in PNG.
	Dealing with past atrocities.	Strong Unchanged	PNG is still reluctant to give independence to the Bougainville, with further consultations between the two parties to follow. There is currently a dispute over mining rights of Bougainville, the outcome of which is expected to be critical to independence. ¹
Policy Mechanisms	Appoint national R2P Focal Point.	Very Weak Unchanged	PNG does not yet have a R2P focal point. ²
	Incorporate atrocity crime risks and dynamics into conflict analysis and/or development partnerships.	Very Weak Unchanged	No new evidence could be found of PNG doing this.
	Establish domestic mechanisms to hold the government accountable for upholding its responsibility to protect.	Very Weak Unchanged	No evidence could be found of PNG establishing domestic mechanisms for upholding R2P.
International Human Rights Obligations	Sign, ratify and implement relevant instruments of international law.	Fair Unchanged	PNG have ratified the Convention on Right of the Child, the ICCPR, ICESCR, CEDAW, Convention on Elimination of Discrimination and the Genocide Convention. ³ They have yet to sign or ratify the <i>Geneva Protocol I</i> , the <i>Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment</i> [CAT], the <i>Arms Trade Treaty</i> [ATT], and the <i>Rome Statute of the International Criminal Court</i> . ⁴
	Sign and ratify the Rome Statute of the International Criminal Court and cooperate fully with the Court.	Very Weak Unchanged	PNG has not signed nor ratified the <i>Rome Statute of the International Criminal Court</i> .
	Establish and maintain National Human Rights Institutions in accordance with the Paris Principles.	Weak Increase	PNG has yet to establish a national human rights institution. However, there are indications that PNG

¹ Fildes, Nic. 2023, 'Bougainville looks to reopen mine that sparked Pacific island civil war', *Financial Times*, 28th December. Available at: <https://www.ft.com/content/2887fcc6-6a54-47d8-9f2b-0c83519fabaa>

² Global Centre for the Responsibility to Protect (GCR2P), 2022. Members of the Global Network of R2P Focal Points, <https://www.globalr2p.org/resources/members-of-the-global-network-of-r2p-focal-points/>.

³ UN Human Rights Treaty Bodies, n.d., UN Treaty Body Database https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=115&Lang=EN (Select PNG in drop-down menu) ; United Nations Treaty Collection, n.d., *Convention on the Prevention and Punishment of Genocide*, https://treaties.un.org/pages/ViewDetails.aspx?src=IND&mtmsg_no=IV-1&chapter=4&clang=en

⁴ International Committee of the Red Cross, n.d. Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 8 June 1977, https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/States.xsp?xp_viewStates=XPages_NORMStatesParties&xp_treatySelected=470; United Nations Treaty Collection (UNTC), 2022. 9. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, https://treaties.un.org/pages/ViewDetails.aspx?src=IND&mtmsg_no=IV-9&chapter=4&clang=en; UNTC, 2022. 8. Arms Trade Treaty, https://treaties.un.org/pages/ViewDetails.aspx?src=IND&mtmsg_no=XXVI-8&chapter=26&clang=en; International Criminal Court (ICC), n.d. The States Parties to the Rome Statute, <https://asp.icc-cpi.int/states-parties#P>.

			<p>is taking steps towards a human rights commission.⁵</p>
	<p>Ensure domestic promotion and protection of human rights, focusing on the elimination of discrimination.</p>	<p>Fair Unchanged</p>	<p>PNG's constitution, in accordance with international human rights conventions, protects and grants many human rights including freedom from discrimination.⁶ However, discrimination is still widespread and many people, most notably women (see later Indicator), children, those with a disability, and those in the LGBTIQ+ community, suffer under this.⁷</p>
	<p>Participate in international peer review processes, including the Universal Periodic Review (UPR) of the UN Human Rights Council.</p>	<p>Fair Unchanged</p>	<p>PNG participated at its most recent UPR in November 2021. UN bodies and other stakeholders made note of PNG's lack of ratification of international human rights treaties, pervasive societal violence and impunity within security and governmental architecture.⁸ PNG was generally supportive of the recommendations it received and made a note of being committed to the UPR process.⁹ Despite the laws on unlawful interference with private life and 'slander laws' not being changed, the right to privacy and the refrainment from using defamatory material as a political tool was respected unlike previous years.¹⁰</p> <p>PNG has four reports relating to international treaties with reporting procedures that are overdue. They are CERD, CDESCR, CRC and CRPD.¹¹ This an improvement from last year, when a report for CEDAW was also overdue.</p>
	<p>Cooperate fully with UN Human Rights mandate holders and those of relevant regional organisations.</p>	<p>Fair Unchanged</p>	<p>PNG maintains a standing invitation to UN mandate holders. However, five requested visits are currently inactive, just like there are six visits at reminder or requested status. The most recent completed visit was in 2014.¹²</p>
	<p>Ensure equal access to justice.</p>	<p>Fair Unchanged</p>	<p>Judicial independence within PNG is upheld, with presumption of innocence and public trials enacted by court officials and the justice sector. However, those accused of crime are generally detained arbitrarily for long periods of time before the trial. Prisons, due to shortage of staff, are unsafe places to be.¹³</p>

⁵ Pacific Community 2022 'Papua New Guinea takes steps to establish Human Rights Commission', *Pacific Community*, 26th April. Available at: <https://www.spc.int/updates/blog/2022/04/papua-new-guinea-takes-steps-to-establish-human-rights-commission>

⁶ Higgins Chambers, 2020. *19 distinct human rights identified under PNG constitution*, <https://www.higginschambers.com.au/png-human-rights/>.

⁷ U.S Department of State, 2023. *2022 Country Reports on Human Rights Practices: Papua New Guinea*, 'Section 6. Discrimination, Societal Abuses, and Trafficking in Persons', <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/papua-new-guinea/>

⁸ United Nations Country Team, 2021. *Third Cycle Universal Periodic Review of Papua New Guinea Joint Submission of the UN Country Team*, https://www.upr-info.org/sites/default/files/document/hungary/session_39_-_may_2021/un_compilation_for_png_upr39_png_e_main.pdf.

⁹ United Nations, Human Rights Council (HRC), Report of the Working Group on the Universal Periodic Review Papua New Guinea, 30 December 2021, A/HRC/49/11, paras. 137, 142 – 143.

¹⁰ U.S Department of State, 2023. *2022 Country Reports on Human Rights Practices: Papua New Guinea*, 'Section 1. Respect for Integrity of the Person, Section 2. Respect for Civil Liberties' <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/papua-new-guinea/>

¹¹ United Nations Human Rights Treaty Bodies, n.d. *Late and non-reporting States*, https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/LateReporting.aspx.

¹² UNOHCHR, n.d. *View Country visits of Special Procedures of the Human Rights Council since 1998*, <https://spinternet.ohchr.org/ViewCountryVisits.aspx?visitType=all&country=PNG&Lang=en>.

¹³ U.S Department of State, 2023. *2022 Country Reports on Human Rights Practices: Papua New Guinea*, 'Section 1. Respect for the Integrity of the Person, Including Freedom from: Prison and Detention Center Conditions, Trial Procedures'; Freedom House,

	Criminalise incitement to commit genocide, war crimes, ethnic cleansing and crimes against humanity.	Strong Unchanged	Genocide and war crimes are criminalized in PNG's <i>Criminal Code</i> . ¹⁴ No evidence could be found that crimes against humanity have been covered by domestic legislation.
	Take measures to counter and prevent violent extremism.	Fair Unchanged	There has never been a terrorist attack within PNG, and so its counter-terrorism measures remain relatively few. There have been some outbreaks of violence in the latter half of 2023 that have been called 'domestic terrorism' by the government, which the government has reacted to by increasing police capabilities, finding all the acts occurring (killings of civilians, destruction of property, kidnappings) already illegal. ¹⁵ PNG has been a member of the Asia/Pacific Group on Money Laundering since 2008, and were found to have very low anti-corruption safeguards in 2011. ¹⁶ The government has committed itself to strengthening this, and received support from Australia amongst others, ¹⁷ although corruption amongst government officials remains high. ¹⁸
	Enact and implement laws protecting vulnerable groups, particularly in relation to sexual and gender-based violence.	Very Weak Unchanged	It is estimated that 1.5 million people annually experience SGBV in PNG, despite harsh punishments and low court fees for rape, including spousal rape, and sexual assault. Laws protecting against racial discrimination and child abuse are poorly enforced. In some cases, it is the police exerting the violence. PNG remains a patriarchal society cautious of 'sorcery' leading to high levels of SGBV. ¹⁹
	Protect individuals and groups fleeing atrocity crimes and their risk, in accordance with International Refugee Law.	Very Weak Unchanged	Support for refugees and asylum seekers in PNG remains lacklustre. Despite its agreement with Australia on off-shore processing at Manus Island ending in 2021, conditions for refugees in PNG remain poor with abuse from staff at times. Climate change and local clashes dislocate large parts of the population, yet IDP's are not accounted for in domestic legislation. ²⁰

2022. *Freedom in the World 2023: Papua New Guinea*, 'F. Rule of Law', <https://freedomhouse.org/country/papua-new-guinea/freedom-world/2023>

¹⁴ Parliamentarians for Global Action, 2022. *Papua New Guinea and the Rome Statute*, <https://www.pgaction.org/ilhr/rome-statute/papua-new-guinea.html>.

¹⁵ Harriman, Bethanie 2023, 'Papua New Guinea killings: What's behind the outbreak in tribal fighting?' *The Guardian*, 29th August. Available at: <https://www.theguardian.com/world/2023/aug/29/papua-new-guinea-killings-whats-behind-the-outbreak-in-tribal-fighting>; Wiseman, Don 2023 'Tough new PNG police powers won't work – Transparency PNG', *RNZ*, 5th July. Available at: <https://www.rnz.co.nz/international/pacific-news/493214/tough-new-png-police-powers-won-t-work-transparency-png>

¹⁶ Asia/Pacific Group on Money Laundering, 2011. *Mutual Evaluation Report Anti-Money Laundering and Combating the Financing of Terrorism: Papua New Guinea*, p. 20 – 24, <http://www.apgml.org/members-and-observers/members/member-documents.aspx?m=3f87fdab-7836-49ec-85de-62ceb17b97f1>.

¹⁷ DEFAT, n.d., *Australias support to Law and Justice in Papua New Guinea*,

<https://www.dfat.gov.au/publications/development/australias-support-law-and-justice-papua-new-guinea>

¹⁸ Freedom House, 2022. *Freedom in the World 2023: Papua New Guinea*, 'C. Functioning of Government', <https://freedomhouse.org/country/papua-new-guinea/freedom-world/2023>

¹⁹ See: U.S Department of State, 2023. *2022 Country Reports on Human Rights Practices: Papua New Guinea*, 'Section 6. Discrimination, Societal Abuses and Trafficking in Persons: Women' <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/papua-new-guinea/>; HRW, 2023. *World Report 2022: Papua New Guinea*, 'Women's and Girls' Rights' <https://www.hrw.org/world-report/2022/country-chapters/papua-new-guinea>; Amnesty International, 2023. *Papua New Guinea 2022*, 'Gender-based violence' <https://www.amnesty.org/en/location/asia-and-the-pacific/south-east-asia-and-the-pacific/papua-new-guinea/report-papua-new-guinea/>

²⁰ U.S Department of State, 2023. *2022 Country Reports on Human Rights Practices: Papua New Guinea*, 'Section 2. Respect for Civil Liberties, Including: f. Protection of Refugees' <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/papua-new-guinea/>; HRW, 2023. *World Report 2022: Papua New Guinea*, 'Asylum Seekers and Refugees' <https://www.hrw.org/world-report/2022/country-chapters/papua-new-guinea>

Domestic Implementation	Conduct a national assessment of risk and resilience.	Very Weak Unchanged	No evidence could be found that such an assessment has been undertaken.
	Cultivate and protect an active, diverse and robust civil society.	Fair Unchanged	PNG remains ranked as ‘Partly Free’ by Freedom House Press due to corruption and impunity within various government branches, widespread discrimination against societal minorities co-existing with a mostly free media and independent judicial system. The freedom of assembly is respected and human rights NGO’s in the country operate free of restrictions from PNG. ²¹
	Ensure a legitimate, effective and civilian controlled security sector.	Weak Unchanged	PNG’s police force is generally regarded as violent and brutal, and there are instances of torture, burning of land and murder by police officers. The sector is generally under-funded. All security forces are under governmental control. ²²
	Ensure the education system reflects the ethnic, national and cultural diversity of society, and sets examples of inclusiveness.	Weak Unchanged	Education is not compulsory, and although the government has a policy of providing free education, many schools charge fees. As a result, only about 1/3 of children complete primary school. Social barriers makes it particularly hard for girls to get an education. ²³
	Prevent nationals committing atrocity crimes overseas.	Fair Unchanged	PNG’s ability to prosecute nationals who commit atrocities overseas comes from the <i>Offences (Overseas) Act 1984</i> . No update could be found on this.
Bilateral and Multilateral Relations	Participate in international, regional, and national discussions on the further advancement of R2P.	Weak Unchanged	No new evidence could be found of PNG participating in recent discussions regarding R2P.
	Leverage existing mechanisms and institutions (including regional and sub-regional organisations) to encourage States to fulfil their responsibility to protect.	Fair Unchanged	In its voting patterns at the UN General Assembly, PNG generally supports R2P. It was also a co-sponsor of resolution A/RES/75/277. UN General Assembly Resolutions:²⁴ <ul style="list-style-type: none"> • 2018: Extrajudicial, summary or arbitrary executions A/RES/73/172: abstained. • 2018: Situation of human rights in the Democratic People’s Republic of Korea A/RES/73/180: adopted without vote. • 2018: Situation of human rights in the Syrian Arab Republic A/RES/73/182: yes. • 2019: Situation of human rights in the Democratic People’s Republic of Korea A/RES/74/166: adopted without vote. • 2019: Situation of human rights in the Syrian Arab Republic A/RES/74/169: yes. • 2020: Situation of human rights in the Democratic People’s Republic of Korea A/RES/75/190: adopted without vote.

²¹ Freedom House, 2023. *Freedom in World 2023: Papua New Guinea*. <https://freedomhouse.org/country/papua-new-guinea/freedom-world/2023>

²² U.S Department of State, 2023. *2022 Country Reports on Human Rights Practices: Papua New Guinea*, ‘Section 1. Respect for the Integrity of the Person, Including Freedom from: a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings; c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment’ <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/papua-new-guinea/>

²³ HRW, 2022. World Report 22: Papua New Guinea, ‘Children’s Rights to Health and Education’ <https://www.hrw.org/world-report/2022/country-chapters/papua-new-guinea>; U.S Department of State, 2023. *2022 Country Reports on Human Rights Practices: Papua New Guinea*, ‘Section 6. Discrimination, Societal Abuses, and Trafficking in Persons: Children’ <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/papua-new-guinea/>

²⁴ GCR2P, 2021. *UN General Assembly Resolutions Referencing R2P*, <https://www.globalr2p.org/resources/un-general-assembly-resolutions-referencing-r2p-2/>. (Voting records for each resolution were accessed using the UN’s Digital Library: General Assembly of the United Nations, n.d. *Voting Records*, <https://www.un.org/en/ga/documents/voting.asp>.)

- 2020: Extrajudicial, summary or arbitrary executions A/RES/75/189: **yes**.
- 2020: Situation of human rights in the Syrian Arab Republic A/RES/75/193: **abstained**.
- 2021: Promoting a culture of peace and tolerance to safeguard religious sites A/RES/75/258: **adopted without vote**.
- 2021: The responsibility to protect and the prevention of genocide, war crimes, ethnic cleansing and crimes against humanity A/RES/75/277: **yes**.
- 2021: Terrorism and human rights A/RES/76/169: **adopted without vote**.
- 2021: Situation of human rights in the Democratic People's Republic of Korea A/RES/76/177: **adopted without vote**.
- 2021: Situation of human rights in the Syrian Arab Republic A/RES/76/228: **yes**.
- 2022: Extrajudicial, summary or arbitrary executions, A/RES/77/218: **abstained**
- 2022: Democratic Peoples Republic of Korea, A/RES/77/226: **adopted without a vote**
- 2022: Myanmar/Burma, A/RES/77/227: **adopted without a vote**
- 2022: Syria A/RES/77/230: **yes**

Encourage and assist States to fulfil their R2P in situations of emerging and ongoing crisis, such as good offices and preventive diplomacy.	Weak Unchanged	In 2021, PNG, along with Australia and Fiji, sent a contingent of police officers to the Solomon Islands in the wake of violence and riots to maintain peace, calling on Solomon Islanders to respect the rule of law and democratic institutions. ²⁵ This has evolved into a stronger partnership between PNG and the Solomon Islands, as referenced in another Indicator.	
Strengthen regional and international networks for atrocity crime prevention.	Weak Unchanged	PNG have participated in the RAMSI operation in the Solomon Islands and through this strengthened atrocity prevention. No other evidence could be found of PNG utilizing regional or international networks for atrocity crime prevention.	
Strengthen the role and capacity of regional organisations.	Fair Unchanged	PNG partakes in a number of regional organizations, but no evidence could be found that they work towards changing their capacities.	
Support the development and work of regional human rights and other preventive capacities.	Weak Unchanged	Specific references to atrocity prevention could not be found. However, the PNG works with the UN to strengthen human rights domestically. In the Solomon Islands, the PNG has been such a consistent presence that police now can travel freely between the two countries. ²⁶	
Support atrocity prevention through development and assistance partnerships.	Very Weak Unchanged	No new evidence could be found of PNG doing this.	
United Nations, prevention, Peacekeeping, and assistance	Support the early warning and capacity building efforts of the UN Office on Genocide Prevention and R2P.	Weak Unchanged	No evidence could be found of PNG taking strong stances either way on the UN office of genocide prevention, apart from their ratification of the genocide prevention convention.
	Support the strengthening of the UN's capacity for atrocity	Weak Unchanged	The UNOHCHR in PNG has a Human Rights Adviser's Unit to support and advise the PNG government and civil society organisations on a

²⁵ Editor, 2021. 'PM Marape appeals to Solomon Islanders to respect the rule of law'. *Solomon Islands Herald*, 24 November. Available at: <https://solomonislandsherald.com/pm-marape-appeals-to-solomon-islanders-to-respect-the-rule-of-law/>.

²⁶ Joku, Harlyne, 2023, 'Papua New Guinea police role in Solomon Islands formalized by new agreement', *Radio Free Asia*, 9th February. Available at: <https://www.rfa.org/english/news/pacific/png-solomon-police-02092023204332.html>

	prevention, including through the UN Human Rights system.		number of human rights issues, including atrocity prevention and early warning signs. ²⁷ This has been in place since 2008 and remains PNG's main way to strengthen UN capacity for atrocity prevention.
	Support preventive actions on atrocity crimes.	Fair Unchanged	Recent and explicit support by PNG for atrocity prevention is hard to find.
	Contribute to United Nations peacekeeping operations (especially those with a protection of civilians mandate).	Weak Unchanged	PNG currently has two personnel assigned to UN peacekeeping missions. ²⁸
	Develop the capacities needed to support civilian protection, including through the training of military and civilian personnel for peacekeeping.	Weak Unchanged	PNG is currently facing some internal challenges impacting its ability to dedicate troops to UN peacekeeping. However, in the first half of 2023 they partook in an Australia-led training. ²⁹
	Support the Kigali Principles.	Very Weak Unchanged	No evidence could be found of PNG supporting the Kigali Principles.
	Support UN Security Council veto restraint on issues relating to atrocity prevention.	Very Strong Unchanged	PNG remains supportive of both the ACT Code of Conduct ³⁰ and the French/Mexican initiative on the suspension of veto powers during mass atrocities. ³¹

²⁷ UNOHCHR, 2022. *OHCHR in Papua New Guinea*, <https://www.ohchr.org/en/countries/papua-new-guinea/our-presence>.

²⁸ United Nations Peacekeeping, 2023. *Troop and Police Contributors*, <https://peacekeeping.un.org/en/troop-and-police-contributors>. (PNG can be selected from the drop down menu.)

²⁹ AFP News Centre, 8th February 2023, *AFP helps train Asia-Pacific police officers for UN Peacekeeping Operations*, <https://www.afp.gov.au/news-centre/media-release/afp-helps-train-asia-pacific-police-officers-un-peacekeeping-operations>

³⁰ GCR2P, 2022. *List of Signatories to the ACT Code of Conduct*, <https://www.globalr2p.org/resources/list-of-signatories-to-the-act-code-of-conduct/>.

³¹ GCR2P, 2022. *List of Supporters of the Political Declaration on Suspension of Veto*, <https://www.globalr2p.org/resources/list-of-supporters-of-the-political-declaration-on-suspension-of-veto/>.