

ASIA PACIFIC CENTRE - RESPONSIBILITY TO PROTECT

ATROCITY CRIMES RISK ASSESSMENT SERIES

PAPUA NEW GUINEA

VOLUME 11 - JANUARY 2020



THE UNIVERSITY
OF QUEENSLAND
AUSTRALIA

Create change

Acknowledgments

This report was prepared by Research assistant Mr Neal Simpson and interns at the Asia Pacific Centre for the Responsibility to Protect; Hannah Fitzgerald, Isaac Chesters and Rachel Varughese who were supported by the Centre's staff: Professor Alex Bellamy, and Ms Arna Chancellor.

The Asia Pacific Risk Assessment series is produced as part of the activities of the Asia Pacific Centre for the Responsibility to Protect (AP R2P). Photo acknowledgment: Michal Gonnem.

Asia Pacific Centre for the Responsibility to Protect

School of Political Science and International Studies

The University of Queensland

St Lucia Brisbane QLD 4072

Australia

Email: r2pinfo@uq.edu.au

<http://www.r2pasiapacific.org/index.html>

INTRODUCTION

Atrocity crimes are a serious threat to human life as well as to national and international peace and security. Therefore, measures taken to prevent atrocity crimes are of great importance and also serve to reinforce state sovereignty by reducing the need for more intrusive forms of response from the international community. In 2014 the United Nations Special Advisers on the Prevention of Genocide and the Responsibility to Protect presented an updated Framework of Analysis to assist with assessing the risks of genocide, ethnic cleansing, war crimes, and crimes against humanity (henceforth referred to as ‘the Framework’). The Framework serves as a working tool to identify those countries most at risk in order to support the prevention of atrocity crimes.

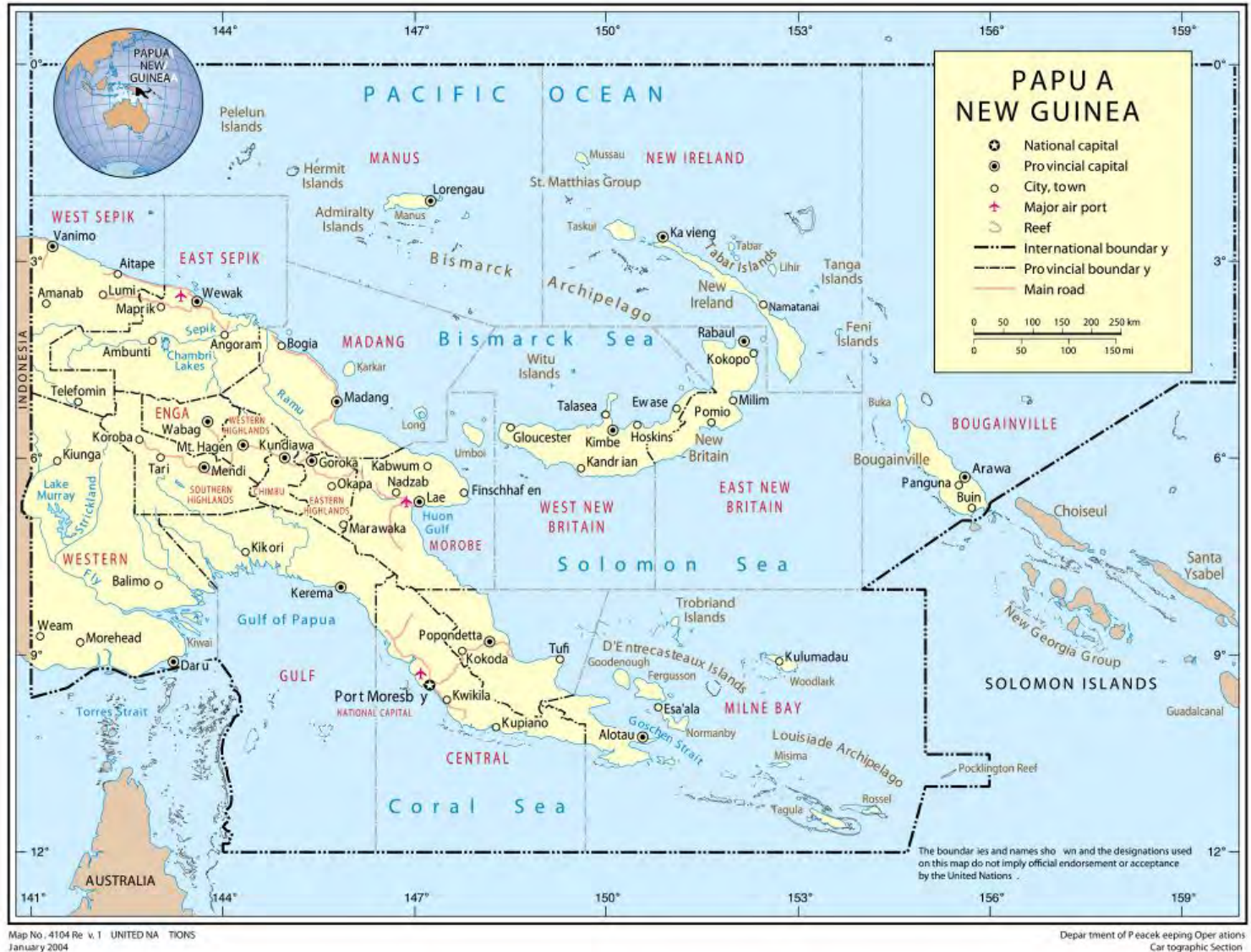
The following risk assessment for Papua New Guinea (PNG) utilises the risk factors and indicators as presented in the Framework. This report only includes those risk factors currently relevant to the situation in Papua New Guinea. Note that there is often overlap between separate risk factors and indicators, and where possible these have been identified with a note on where else in the report these risk factors have been identified. Additionally, it is necessary to underscore that, as per the Framework, the presence or absence of risk factors does not guarantee that atrocity crimes will or will not occur. Rather, the assessment identifies where a higher risk of atrocity crimes is present. Only by examining risk factors in their numerous and appropriate contexts is it possible to more fully identify the strengths and weaknesses of Papua New Guinea’s current atrocity risk factors, and in doing so support the government’s responsibility to uphold human rights and prevent the potential for atrocity crimes to arise in the future. This Framework, therefore, is a tool for prevention.

A final note on this report: as Papua New Guinea is a diverse country in regards to ethnicity, culture and geography, there were some difficulties finding information representative of the country as a whole. Some data sources, for instance, focus only on a few provinces. Furthermore, due to the remoteness and near inaccessibility of some areas of the highlands, information for some highland areas are either missing entirely or unreliable.

This assessment finds that the current overall risk of atrocity crimes in Papua New Guinea is high. Within Papua New Guinea at least two indicators are met in all of the Common Risk Factors outlined by the Framework. Those of highest prevalence include: Risk Factor 1 (situations of armed conflict or instability); Risk Factor 2 (record of violations of international human rights); and Risk Factor 3 (weakness of state structures), with the majority of sub-indicators within each Risk Factor being met. There is a moderate presence of Risk Factors 4, 6 and 8, and lower incidences of Risk Factors 5 and 7. Particular issues of note in PNG that contribute to the risk of atrocity crimes include: widespread violence, including sexual and gender-based violence; poverty and economic asymmetry; weak State structures which inhibit social services and human development; corruption and impunity, which feeds political, economic and social instability; and inequality. Of particular concern is the level of endemic violence against women, which meets two indicators within the Specific Risk Factors of crimes against humanity and the prevalence of inter-tribal violence, both of which meet indicators within the Specific Risk Factors of crimes against humanity. With these findings in mind, the report concludes by offering recommendations to address the underlying causes of the political, economic and social instability and inequality, and direct policies of prevention. These include, among others:

- Implement laws to address sexual and gender-based violence in their entirety.
- Improve access to resources and support for women and victims.
- Raise awareness for women’s rights, both in the public and private spheres.
- Address impunity and excessive force through training and investigations.
- Implement a comprehensive program of action to prevent and resolve inter-tribal violence.

MAP PAPUA NEW GUINEA



FRAMEWORK OF ANALYSIS

The Framework of Analysis consists of fourteen (14) Risk Factors of atrocity crimes, with each Risk Factor accompanied by a suite of 6 to 18 specific Indicators that are used to help to determine the degree of Risk present. Combined, these Risk Factors and associated Indicators guide the collection and analysis of data to determine the degree and kinds of atrocity crime risk present in a given country. This assessment deals only with the Risk Factors considered most relevant to the Papua New Guinea context; hence, some Risk Factors are not engaged with (note that the absence of a Risk Factor or Indicator does not indicate that are not important or may not be a risk in the future, simply that they are presently of minimal concern).

The Risk Factors are delineated into two different groups: Common Risk Factors, which are the conditions that increase the probability of atrocity crimes occurring; and, Specific Risk Factors, which are divided into the risks associated with genocide, crimes against humanity, and war crimes (ethnic cleansing is incorporated into the other atrocity crimes). A greater number of Risk Factors and Indicators denote an enhanced risk of atrocity crimes. The Risk Factors are not ranked by importance. In some cases, the Risk Factors assessed in this report relate to events and conditions that occurred decades ago. Nevertheless, how such events are being dealt with today can still contribute to the likelihood of other types of atrocity crimes arising in the future.

COMMON RISK FACTORS		
Risk Factor	1	Situations of armed conflict or other forms of instability
Risk Factor	2	Record of serious violations of international human rights and humanitarian
Risk Factor	3	Weakness of State structures
Risk Factor	4	Motives or incentives
Risk Factor	5	Capacity to commit atrocity crimes
Risk Factor	6	Absence of mitigating factors
Risk Factor	7	Enabling circumstances or preparatory action
Risk Factor	8	Triggering factors
SPECIFIC RISK FACTORS		
Genocide		
Risk Factor	9	Inter group tensions or patterns of discrimination against protected groups
Risk Factor	10	Signs of an intent to destroy in whole or in part a protected group
Crimes Against Humanity		
Risk Factor	11	Signs of a widespread or systematic attack against any civilian population
Risk Factor	12	Signs of a plan or policy to attack any civilian population
War Crimes		
Risk Factor	13	Serious threats to those protected under international humanitarian law
Risk Factor	14	Serious threats to humanitarian or peacekeeping operations

Each of these Risk Factors are accompanied by 6-18 more specific Indicators, which can be used to more precisely identify and analyse the risks of atrocity crimes. These Indicators and further information on the full UN Framework of Analysis for Atrocity Crimes can be found by visiting the UN website at www.un.org.

COMMON RISK FACTORS

RISK FACTOR 1: SITUATIONS OF ARMED CONFLICT OR OTHER FORMS OF INSTABILITY

The first Common Risk Factor concerns “situations that place a State under stress and generate an environment conducive to atrocity crimes”. Although atrocity crimes generally take place within the context of armed conflict, a State’s propensity to commit atrocity crimes can also be influenced by other forms of acute instability, such as a humanitarian crisis or political, economic and/or social volatility. Papua New Guinea is unique in that it is one of the most ethnically and culturally diverse countries in the world, with over 850 different languages spoken. Its geography includes over 600 islands and highly mountainous terrain. The estimated population of 8 million people is demographically young (76 percent are younger than 35 years old) and 85 percent of the population lives in rural area.¹ PNG, therefore, has unique suite of risk factors. Of the 11 Indicators subsumed under Risk Factor I, ten have been identified as most pertinent to the Papua New Guinean context.

Armed Conflict

Indicator 1.1 refers to “international or non-international armed conflict”. PNG is no longer considered to be in a state of international or non-international armed conflict. Previously, PNG suffered a civil war on the island province of Bougainville. Bougainville has long sought secession from PNG.² Bougainville has closer ties to the Solomon Islands, culturally and otherwise, and only through colonization did they become part of PNG. The independence movement found support from the greater community in 1989, when civil war broke out, sparked by grievances over the Panguna mine and its operation – which caused environmental degradation, loss of livelihoods and unequal distribution of revenues – and also led to high rates of labour migrants from PNG.³ This led to more than nine years of violence and an estimated 20,000 casualties, with even more people displaced⁴ (see further **indicators 4.8** and **4.9**). In 1998, a ceasefire was brokered, and a United Nations Observer Mission was established.⁵ In 2001, the Bougainville Peace Agreement was signed, establishing the Autonomous Bougainville Government and included a provision for an independence referendum between 2015 and 2020 (see **indicators 8.4** and **8.8**).

Today, armed conflict exists in the form of inter-tribal conflict. Traditional social structures value loyalty to the clan or tribe, and the use of violence has long been a customary dispute resolution mechanism.⁶ Inter-tribal conflicts may be triggered by land disputes, political rivalries, or revenge for past grievances,⁷ but today are exacerbated by access to and control of natural resource royalties associated with extractive resource projects.⁸ Tribal conflict can be indiscriminate or intentionally target women and children.⁹

These conflicts involve property destruction; assault and murder (including against women and children); and internal displacement, with 6,300 people estimated to be internally displaced by conflict alone at the end of 2015.¹⁰ The long-term effects of inter-tribal conflict undermine human development and are often ignored; they are generally localized disputes concentrated in the central highlands and thus do not impact the national government.¹¹ The difficulty for police to access the remote highlands compounds the situation. Furthermore, a proliferation of modern weaponry over recent years has escalated the human suffering, as spears, bows and arrows are replaced with rifles and other firearms.¹²

In 2018, Furthermore, within the southern highlands the government has declared a nine month long state of emergency in the southern highlands, due to violent riots burning down private property as revenge for land and tribal disputes. In response to the riots, the government has sent in armed forces and suspended the local government in the affected areas to restore order.¹³

In July 2019, PNG witnessed a horrific massacre of civilians due to inter-tribal conflict. More than 20 people were killed, including pregnant women and children, during two incidents in the villages of Peta and Karida in the southern highlands. The situation was further complicated by the use of firearms in the attacks.¹⁴ The history of violent inter-tribal conflict in PNG remains an underlying risk factor for further atrocity crimes.

Armed conflict in neighbouring countries

Indicator 1.2 refers to “security crisis caused by ... armed conflict in neighbouring countries”. PNG is neighboured by Indonesia to the East and by Australia to the South. Since 1962 there has been conflict in the Indonesian provinces of Papua and West Papua between Indonesian security forces and militants belonging to the Free Papua Movement. Papua (the province) is adjacent to PNG, and its inhabitants have suffered from egregious human rights abuses at the hands of Indonesian forces (see **indicator 8.2**).¹⁵

Insecurity from Natural Disasters and Epidemics

Indicator 1.3 refers to “humanitarian crisis or emergency, including those caused by natural disasters or epidemics”. In PNG, 75 percent of the population relies on subsistence farming.¹⁶ Due to environmental degradation from the over-exploitation of natural resources, climate change, unsustainable fishing practices and land use, and a lack of capacity in disaster risk management, PNG’s vulnerability to natural disasters is increased.¹⁷ Recently, PNG suffered from the most severe drought in decades, amplified by the 2015/2016 El Niño weather event.¹⁸ The drought negatively affected approximately 40% of the population, causing food insecurity, malnutrition, water shortages, poor sanitation, and increased prevalence of disease.¹⁹ PNG have also lately been experiencing volcano eruptions forcing thousands of people to flee to safer grounds.²⁰ However, most recently PNG has been suffering from severe earthquakes, after shakes and landslides killing at least 125 people in the highlands.²¹ The earthquakes has, furthermore, created violence hindering the distribution of aid relief to the people living within the disaster zone in the highlands. The uprise of violence in the highlands have led to heavily armed police to be sent to the regions to establish order in the communities.²²

In regards to health, HIV/AIDs rates have slowed but are still high, and STI rates are some of the highest in the Asia Pacific region.²³ Treatable disease, in particular tuberculosis, remains a problem; the number of drug-resistant cases are increasing due to a lack of an effective follow-up system.²⁴ A lack of universal access to health care services also remains a prevalent issue in the country, with those in rural highlands affected more acutely due to isolation and distance.²⁵ PNG has, furthermore, recently in 2018 been experiencing outbreaks of polio for the first time in 18 years. The outbreak has caused authorities to immunise more children to the disease in affected areas.²⁶ While the government has introduced a free primary healthcare policy, quality services and adequate supplies remain a concern.²⁷ More investment is required, especially as these health issues are exacerbated by ongoing poverty (see **indicator 1.9**).

Political Instability

Indicator 1.4 and **indicator 1.5** refer to political instability caused by “abrupt or irregular regime change or transfer of power” and “disputes over power or growing nationalist, armed or radical opposition movements”, respectively. PNG’s political culture has a history of ‘fluidity’ accompanied by chaotic election campaigns and hinged on a political economy of favours informed by the Melanesian ‘Big Man’ system. According to this system, politicians prioritise their constituents (tribe and community) over national interests, leading to party politics being based on a series of unstable and dynamic coalitions.²⁸ This has resulted in high turnovers of parliamentarians. Since independence from Australia in 1975, there have been three instances where Prime Ministers were removed by a vote of no confidence, and only two periods where the full five-year term of leadership has been served (2002-2007 with Michael Somare, and 2012-2017 with Peter O’Neill).²⁹

From 2011-2012, there was a constitutional crisis where PNG found itself with two Prime Ministers, two cabinets, two attorney generals and two police commissioners, due to the parliament declaring a vacancy in August 2011 while the PM (Michael Somare) was seeking medical treatment in Singapore. The issue was resolved after Peter O’Neill, took power after the 2012 national elections.³⁰ In July 2016, PM O’Neill survived a vote of no confidence, 85 votes to 21.³¹ The opposition raised the motion due to ongoing corruption allegations and calls from the public for his resignation (see further **indicator 3.5**). As noted,

RISK FACTOR 1: SITUATIONS OF ARMED CONFLICT OR OTHER FORMS OF INSTABILITY

votes of no confidence are not new in PNG. The 2017 general election, which reinstated PM O'Neill, was plagued by significant controversy. The government was accused of manipulating the result by various means, and violent clashes occurred at multiple polling stations.³² PNG elections frequently face significant issues of legitimacy, including fake ballots being included in the count, names in 'problem' areas being intentionally removed from the electoral roll, MPs bribing voters to vote for them, and hijacking of full ballot boxes. All of these issues were present in the 2017 election.³³ The Enga province, located in the highlands, was the worst affected – at least 20 people were killed.³⁴ The political instability has continued into 2019; after weeks of political turmoil, Peter O'Neill finally resigned on 26 May. His successor is former finance minister James Marape, who had previously defected from the government amid controversy surrounding O'Neill's resource development deals.³⁵ The transition to power has been relatively smooth thus far. However, a history of electoral and political violence warrants increased caution.

Economic Instability

Indicator 1.7 and **indicator 1.8** refer to economic instability caused by "scarcity of resources or disputes over their use or exploitation" and "severe crisis in the national economy" respectively. PNG is a resource rich country that has experienced sustained growth for much of the past decade due to the extractive industries boom.³⁶ The economy relies heavily on the extractive industries such as mining and energy, which account for the majority of GDP and export earnings, while the agriculture, fishing and forestry sectors account for the majority of the labour force (most informally).³⁷ This reliance on extractive industries means that PNG's economy is constantly vulnerable to changes in global commodity prices. Low commodity prices in 2016 saw PNG's real GDP growth drop to 2.4 percent, compared to 6.8 percent in 2015.³⁸ Further challenges to this growth rate arose from the severe drought, which affected agriculture and copper production in the Ok Tedi mine; declining output of liquefied natural gas as compared to the strong output of 2015, its first full year of production; and a lack of foreign exchange seeing businesses suffer.³⁹

GDP growth has weakened further since 2016 due, last year saw there was an estimated growth of 2.1%. This has been attributed to a number of factors, including a decrease in government spending due to lack of revenue, over-evaluation of the PNG Kina, and poor public confidence in business.⁴⁰ However, prospects for the future are good. The effects of the El Niño weather phenomenon are now over, and the agricultural sector is predicted to perform well in 2018 and GDP is expected to rise by 2.5%. Additionally, the economy was devastated by the earthquake that occurred in February 2018 which caused a temporary disruption in LNG production and other mining activities.⁴¹ It has been estimated that GDP growth decreased to 0.3% in 2018, down from 2.8% in 2017.⁴² However, prospects for the future are good; real GDP growth is predicted to increase to 5% in 2019 due to a recovery and expansion of the extractive sector, in addition to the government's proposed economic diversification policies. Furthermore, proposed reforms of monetary and exchange rate policy will help to improve business confidence and increase private investment.⁴³

One of the main challenges for PNG is ensuring that revenues are translated into improved living standards for all people.⁴⁴ Despite increased wealth, inequality and poverty remain in PNG (see **indicator 1.9**). Regarding the extractive industries specifically, while a lack of revenues affects public spending, a lack of efficient and transparent fiscal management also affects the equitable distribution of these revenues. Customary land ownership and tenure is the norm in PNG, but this is often ignored or not adequately addressed by the government or private mining companies.⁴⁵ Many disputes exist over land seizure and ownership, operations causing degradation of the broader environment, and insufficient royalties provided to the traditional landowners.⁴⁶ These disputes have led to violent clashes, not least of which was the Bougainville civil war (see further **indicators 1.1** and **4.2**).

The most recent bout of large government spending has been on the Asia Pacific Economic Cooperation

RISK FACTOR 1: SITUATIONS OF ARMED CONFLICT OR OTHER FORMS OF INSTABILITY

(APEC) Leaders' Summit, which in 2018 was held in PNG. The government budgeted over 100 million dollars towards the preparations for the world summit meeting, while a large amount of the population lives in poverty. The PNG government has tried to clean up the capital city of Port Moresby to ensure a pleasant stay for the world leaders. Yet these measures have seen homes being demolished and livelihoods temporarily made illegal to sustain a good international image for the world leaders.⁴⁷

To further make PNG safe enough to host the APEC meeting, Australia has sent Special Forces soldiers to assist with keeping Port Moresby secure during the world meeting.⁴⁸ The PNG government was criticised over its spending on luxury items, such as cars, for the APEC meeting while it neared a deficit of 800 million dollars with a troubling economic future. This was in addition to the extra government debt accrued in preparation for the APEC meeting. The international media also pressured the PNG government over the unnecessary spending that occurred, while children in the country were dying from polio due to the government cutting health sector spending which limits child vaccination rates.⁴⁹ After the APEC meeting PNG police and security forces caused commotion in Port Moresby, both in the city and near the parliament building, due to the government's failure in providing allowances promised to them for working during the APEC meeting.⁵⁰

Poverty and Inequality

Indicator 1.9 refers to “economic instability caused by acute poverty, mass unemployment or deep horizontal inequalities”. Within PNG, 40% of the population lives in poverty, with those in rural areas suffering more acutely.⁵¹ Human development is low with little change over the years; PNG is currently ranked at 1534 out of 188 states on the Human Development Index.⁵² Progress on the Millennium Development Goals is limited, and health challenges remain regarding child malnutrition, infant mortality, maternal mortality and sanitation.⁵³ Education is also lacking, and while there has been a gradual increase in attendance due to a government policy offering free education up to Grade 9, the average amount of schooling remains at around four years.⁵⁴ This issue, along with unemployment rates of 29.3% and a lack of infrastructure and quality services – only 18.1% of the country is electrified⁵⁵ and air is often the only link between the capital and provinces⁵⁶ – reveal a lack of opportunities for many. Inequality in regards to access also exists; those in rural areas and the remote highlands find it even more difficult to access these services. Moreover, due to the recent earthquakes, children in the highlands are at risk of losing years of schooling because of the devastating nature of the earthquakes destroying homes, infrastructure and thus aid relief to some regions. The severity of the natural disaster has put the need to open schools as a low priority which may impact large amounts of children in the highlands.⁵⁷

Gender inequality in PNG is ubiquitous: in 2018, it ranks 154 out of the 188 states on the Gender Inequality Index, and its position has remained extremely low.⁵⁸ Violence against women is pervasive and highly accepted (see Risk Factor 2). Gender inequality is also evident in regards to accessing education, life expectancy, workloads, and representation in government. The current parliament, formed in the 2017 election, contains no women. No women were elected in the 2017 general elections.⁵⁹

Social Instability

Indicator 1.10 relates to “social instability caused by resistance to or mass protests against State authority or policies”. Protest has been used as a form of resistance in PNG. In 2016, university students protested against PM O'Neill, demanding his resignation due to allegations of corruption, which date back to June 2014, and his hindrance of the investigation (see further **indicator 3.5**).⁶⁰ Joined by civil society and student groups from across the country, the protest began in May 2016 and culminated with violence from police on 8 June 2016 (see further Risk Factor 2). Strikes by airline pilots, medics and transport workers against corruption and for higher wages also occur.⁶¹

RISK FACTOR 2: RECORD OF SERIOUS VIOLATIONS OF INTERNATIONAL HUMAN RIGHTS AND HUMANITARIAN LAW

Risk Factor 2 concerns past or current serious violations of international human rights and humanitarian law that may have not been prevented, punished or adequately addressed and, as a result, can create a risk of further violations. Of the eight indicators subsumed under Risk Factor 2, three are considered most pertinent to the Papua New Guinea context.

Past and Present Violations of International Human Rights

PNG has a long history of violence. **Indicator 2.1** refers to “past or present serious restrictions to or violations of international human rights and humanitarian law, particularly if assuming an early pattern of conduct and if targeting protected groups, populations or individuals”. While ongoing inter-tribal conflict and the previous Bougainville civil war are two relevant examples (see **indicator 1.1**), there are a number of further human rights issues that demand specific attention.

Endemic Violence Against Women

Gender-based violence, including sexual violence, gang rape, and intimate-partner violence is a serious and widespread problem in Papua New Guinea; indeed, PNG is widely reported as one of the most dangerous places in the world to be a woman.⁶² Rates of sexual and gender-based violence are amongst the highest in the world outside a conflict zone,⁶³ with an estimated 70 percent of women having experienced assault or rape in their lifetime.⁶⁴ This human rights violation is endemic and remains ongoing against both women and girls. Sexual and gender-based violence is carried out by partners, family, and members of the wider community, with three in four survivors knowing their perpetrator. Although the Family Protection Act 2013 finally criminalized domestic violence, the issue is still largely viewed as a private matter, leading to a lack of reporting and prosecution.⁶⁵ Furthermore, women become extremely vulnerable to tribal fighting which often results in women becoming widows left to fend for themselves and their children. Tribal fighting also involves revenge acts of kidnapping and raping women, forcing women to flee to other areas to seek protection.⁶⁶

Endemic sexual and gender-based violence is exacerbated by economic and social instability (see **indicator 1.9**), impunity (see **indicators 2.3** and **2.4**) and a lack of resources (see Risk Factor 3), which coalesce to fuel and normalise acute gender asymmetry and sexual violence.⁶⁷ This is evident, for example, in a recent study which reported that 70 percent of men admitted to committing rape more than once; 80 percent admitted to physical and sexual assault of a partner; 23 percent to first perpetrating sexual assault when younger than 15 years old; 67 percent stating that they experienced physical abuse as a child; and 71 percent acknowledging that their motivation for rape was related to a belief of sexual entitlement.⁶⁸ Many victims of sexual violence fear retaliation from a partner if they seek police assistance, contributing to a lack of reporting and the further normalisation of violence.⁶⁹

The practice of a ‘bride price’ – whereby in many areas of PNG men pay their bride’s family when marrying (generally in money and/or pigs) – is deemed to exacerbate both gender inequality and gender-based violence.⁷⁰ Historically, ‘bride price’ functioned as a system that united families in exchange obligations that helped to establish a form of social security and order (including protection for the bride).⁷¹ Today the practice has been corrupted and feed the perception that wives are the property of their husbands.⁷²

Sorcery and witchcraft accusations and killings have been on the rise since the 1980s,⁷³ and constitute another acute form of human rights violations in PNG. Violent mobs have attacked individuals accused of sorcery or witchcraft, with the victims mostly being women and girls.⁷⁴ For example, in February 2016, a mob killed a family of four over accusations of sorcery, whilst in August 2016, villagers attacked a number of women suspected of involvement in sorcery in Enga province, including one woman who had her hand chopped off.⁷⁵ Contra the simplified view that sorcery is a primordial and culturally ubiquitous belief system in PNG, it has actually altered and intensified dramatically over the last four to five decades

RISK FACTOR 2: RECORD OF SERIOUS VIOLATIONS OF INTERNATIONAL HUMAN RIGHTS AND HUMANITARIAN LAW

and is now found in areas where, socio-historically speaking, no such beliefs or practices previously existed.⁷⁶ The geographic spread and gendered character that sorcery and witchcraft accusations have increasingly displayed has been linked to a wide number of complex factors, including internal migration and urban drift, uneven development, the rise of Pentecostal Christianity, and more besides.⁷⁷ In 2013 the government repealed the controversial Sorcery Act 1971 which had provided a defence for violent crime if the accused was acting to stop witchcraft, yet attacks continue and more community outreach and judicial reforms are needed.⁷⁸ In 2014 the government drafted a national sorcery action plan, but the government lacks the capacity to enforce these laws (Risk Factor 3) or to challenge and change the beliefs and factors underlying sorcery-related killings. Some provincial governments in the Highlands have established police units specifically charged with responding to sorcery incidents, but the police units have met with limited success.⁷⁹ Since 2016, there have been 357 reported accusations of sorcery in the Enga and Bougainville provinces, as well as in Port Moresby, 117 of which have led to violence against 185 victims.⁸⁰ Recently, Facebook has been accused of allowing users to sensationalise and spread misinformation about these allegations. There have been calls by rights organizations to monitor Facebook and the spread of false information in order to prevent further violence.⁸¹

Excessive Force by Police

Police brutality and the excessive use of force by the Royal Papua New Guinea Constabulary (RPNGC) is an issue of concern. In January 2015, police fired indiscriminately into a Port Moresby market, killing two vendors, whilst in November 2015 two police officers in East New Britain were charged over the death of a man in police custody.⁸² More recently, police shot into the crowd of students during the 8 June 2016 protests.⁸³ Police confirmed that 23 students were injured, but some activists have reported that a number of protesters may have been killed.⁸⁴ These incidents are not new – excessive force by police is an ongoing issue within PNG.⁸⁵ Further accounts of abuse range from intimidation, harassment and demands of money “for fuel”, to rape and torture.⁸⁶ Police abuse is also prevalent surrounding mines and the Manus Island Detention Centre.

Mines and Forced Displacement

Numerous human rights violations have occurred in relation to extractive industry projects in PNG. The Porgera gold mine in Enga province, owned by Canadian mining company Barrick Gold Corporation, has a history of violations.⁸⁷ Between April and July 2009 police raided and forcibly evicted villagers of Wuangima, burning at least 130 homes, gardens and belongings.⁸⁸ While the village is part of the ‘special mining lease’ area, no negotiation or consultations occurred, no prior notice was given, and no alternative accommodation was provided; as such, the evictions were in breach of international law.⁸⁹ Furthermore, in 2011, private security personnel of the mine were involved in violent abuses against women and girls including gang rape, which led to the company implementing a compensation scheme in 2015, paying at least 100 women.⁹⁰ Concerns over violence against women in the context of the numerous extractive industries continue, along with environmental impacts and disputes over land ownership.

Manus Regional Processing Centre

In April 2016, the Manus Regional Processing Centre, part of Australia’s offshore asylum processing regime, was ruled “illegal and unconstitutional” by the PNG Supreme Court.⁹¹ In November 2016, a plan was announced to resettle a number of refugees from Manus to the United States. The U.S. honoured the deal, but many refugees remained in the detention centre. The centre was formally closed on 31 October 2017, but many of the inhabitants refused to leave. It was reported that the men feared for their safety in the replacement accommodation.⁹² The last of the men were removed by the PNG police force in late November 2017. For three weeks, until they were forced to leave, detainees had very limited access to food and water and no electricity.⁹³ UNHCR stated at the time that the Australian and PNG

RISK FACTOR 2: RECORD OF SERIOUS VIOLATIONS OF INTERNATIONAL HUMAN RIGHTS AND HUMANITARIAN LAW

governments were responsible for the wellbeing of the refugees under international law⁹⁴ and that the accommodation to which the refugees were forcibly moved offered no relief. There were numerous cases of refugees being assaulted, and locals who were displeased with the presence of the refugees protested violently.⁹⁵ Refugees are always particularly vulnerable to abuse. Although the situation has calmed for the moment, the risk of refugees suffering from human rights violations persists. Australia's offshore asylum programs are still causing problems for the PNG government, as asylum seekers are still within PNG's borders, even though the PNG government wants to stop the cooperative programs with Australia.⁹⁶

Furthermore, incidents of self-harm have increased in the wake of the Australian federal election in May 2019 and the re-election of the LNP, as many refugees had pinned their hopes on a Labor Government which may have implemented a different asylum seeker policy.⁹⁷ A PNG paramilitary police unit has been deployed in the area to control the situation, however, the same unit has been accused of rapes, murders and other serious human rights abuses.⁹⁸ Police brutality against refugees remains a concern.

Practice of Impunity

The above issues are all exacerbated by the widespread practice of impunity in PNG. **Indicator 2.3** refers to a "policy or practice of impunity for or tolerance of serious violations of international human rights and humanitarian law, of atrocity crimes, or of their incitement" whilst **indicator 2.4** refers to "inaction, reluctance or refusal to use all possible means to stop planned, predictable or ongoing serious violations of international human rights and humanitarian law or likely atrocity crimes, or their incitement". Violence, whether committed by citizens or police, is often met with little accountability and existing laws are infrequently enforced.⁹⁹ Domestic violence continues to be viewed as a private matter (even with it being criminalized in 2013), and police often ignore complaints or encourage traditional solutions such as compensation¹⁰⁰ (see further **indicator 3.1**). This widespread practice of compensating victims' families (such as with money or pigs) rather than prosecuting perpetrators, results in the enduring culture of impunity and women becoming 'double victims': a victim firstly of violent crime, then a victim of the justice system.¹⁰¹

Issues of police brutality and excessive use of force are compounded by an absence of proper investigations into reports of misconduct.¹⁰² Although a Memorandum of Agreement has recently been signed between the Ombudsman Commission and the police force to oversee complaints against police,¹⁰³ this practice of impunity has led to widespread mistrust across PNG (i.e. **indicator 2.8** "widespread mistrust in State institutions or among different groups as a result of impunity"). There is little trust in the police to resolve cases of violence, resulting in a lack of reporting on any kind of violence¹⁰⁴ (see further Risk Factor 3, below).

RISK FACTOR 3: WEAKNESS OF STATE STRUCTURES

Risk Factor 3 concerns “Circumstances that negatively affect the capacity of a State to prevent or halt atrocity crimes”. There are numerous indicators pertinent to the current PNG context. These primarily relate to judicial matters (e.g. weak domestic implementation of international legal instruments); a paucity of resources, capacity and training to sustain strong and accountable institutions (e.g. lack of awareness and mainstreaming of human rights norms in the justice and security sector); and high levels of corruption or poor governance.

National Legal Framework

Indicator 3.1 refers to a “national legal framework that does not offer ample and effective protection, including through ratification and domestication of relevant international human rights and humanitarian law treaties”. PNG has a hybrid legal system that consists of both formal courts and traditional Village courts. The Village courts are based on traditional social and communal structures and ties, and there are over one thousand across the country.¹⁰⁵ Village courts place emphasis on mediation and compromise, and often encourage customary solutions such as compensation over introduced legal statutes.¹⁰⁶ While Village courts can be effective in keeping peace and harmony in communities and resolving land disputes, in regards to sexual and family violence they can lead to inadequate justice for victims.¹⁰⁷ The emphasis on traditional solutions can inhibit protection for victims and lead to perpetrators evading punishment or even any official recognition that their violent act is a crime¹⁰⁸ (see further **indicators 2.3 and 2.4**). Additionally, while criminal matters of rape and murder are legally unauthorized to be determined by Village courts, formal district courts are only located in provincial capitals and most people are unable to easily access them.¹⁰⁹ With only 15 percent of the population living in urban areas, this leads to a continued reliance on Village courts.

Of concern in PNG is the number of laws relating specifically to endemic violence that have not been implemented in their entirety. Such laws include: the Family Protection Act 2013; Sorcery National Action Plan 2015, and Lukautim Pikinini (Child Welfare) Act 2015.¹¹⁰ The development of these Acts is a step in the right direction, but without their implementation their effect is limited. For example, while the Family Protection Act 2013 criminalized domestic violence, even when these cases are followed up by police and taken to a formal court, prosecution remains ad hoc.¹¹¹ In the city of Lae, it was found only 1 in 338 sexual violence cases were successfully prosecuted.¹¹² Further, while the Child Welfare Act 2015 mandates Child Protection Officers to remove children from situations of immediate risk without a court order and take them to safe-houses, certification of the act is still required and only four of the country's provinces allocated funding to it in their 2016 budgets.¹¹³ Nonetheless, even with the Child Welfare Act 2015 in place, children are still experiencing extreme safety risks as urban drifts are leaving increased numbers of children homeless.¹¹⁴ Another pressing matter in regards to children's safety has been a recent trend, throughout PNG, of children being sold by their parents in an attempt to make enough money to survive due to urban drifts leaving many families worse off.¹¹⁵

Lack of Resources

PNG lacks sufficient resources to mitigate inequality and instability and adequately address the issues outlined in Risk Factors 1 and 2. This concern refers to **indicator 3.2** (“national institutions, particularly judicial, law enforcement and human rights institutions that lack sufficient resources, adequate representation or training”), **indicator 3.6** (“absence or inadequate external or internal mechanisms of oversight and accountability, including those where victims can seek recourse for their claims”), **indicator 3.7** (“lack of awareness of and training on international human rights and humanitarian law to military forces, irregular forces and non-State armed groups, or other relevant actors”) and **indicator 3.10** (“insufficient resources to implement overall measures aimed at protecting populations”).

RISK FACTOR 3: WEAKNESS OF STATE STRUCTURES

There is a shortage of trained judicial personnel that has led to delays in trials.¹¹⁶ The excessive use of force by police (see Risk Factors 1 and 2) reflects a low awareness of, and lack of training in, human rights. Training is required for the police force, and while this has been acknowledged and some progress made, much more work remains.¹¹⁷ The aforementioned laws - Family Protection Act 2013, Sorcery National Action Plan 2015, and Lukautim Pikinini (Child Welfare) Act 2015 - are also relatively new and require community awareness campaigns to inform the public, especially in the more remote regions.

While the government has allocated some resources towards addressing endemic violence against women, it is not yet sufficient. For example, the Family Protection Act 2013 sought to establish Family and Sexual Violence Units (FSVUs) in police stations and Family Support Centres in hospitals around the country, but as of early 2017 only 15 FSVUs were operational nationwide, and all were grossly under-resourced.¹¹⁸ There is also a lack of safe houses for women and children, with only six across the country (in addition to faith-based temporary shelters).¹¹⁹ Logistical barriers (e.g. people in remote areas struggle to access services due to distance; police are unable to access parts of the highlands due to terrain) and economic instability (e.g. the government being unable to ensure investment to implement resources (see indicators 1.7 to 1.9), further compounds the issue of inadequate governmental resources.

Corruption

Indicator 3.5 refers to “high levels of corruption or poor governance” and corruption in PNG is widely regarded as pervasive.¹²⁰ PNG ranks 138 out of 180 states on Transparency International's Corruption Perceptions Index.¹²¹ Most recently, former PM O'Neill has been facing official corruption allegations, specifically in regards to fraudulent payments of government fees worth \$30 million to the legal firm Paraka Lawyers.¹²² Upon investigation by anti-corruption agency Task Force Sweep, a warrant for O'Neill's arrest was issued in 2014. O'Neill did everything in his power to interfere with the investigation. This included court orders and stays to prevent his questioning, the attempted disbanding of Task Force Sweep (see further indicator 7.2), seeking the suspension for Chief Magistrate Nerrie Eliakim (who had signed the arrest warrant), and the targeting of other officials and police who were involved in the case.¹²³ In 2017, the PNG Supreme Court quashed the arrest warrant, bringing an end to the protracted saga. The court cited issues with the initial paperwork and claimed that the warrant was defective.¹²⁴

In 2015, former Attorney-General Ano Pala was charged with attempting to pervert the course of justice. In 2016, he was charged with corruption. The Ombudsman Commission has in the past recommended that William Duma (Minister for Public Enterprise and State Investments) and Sir Puka Temu (Minister for Health and HIV/AIDS) face tribunals over allegations of misconduct.¹²⁵ In early 2017, William Duma and Fabian Pok (Minister for Petroleum and Energy) were suspended, and an investigation was launched regarding their involvement in a corruption scandal surrounding the relocation of Port Moresby's naval base.¹²⁶ Under the current government of Prime Minister James Marape, only Sir Puka Temu remains in the cabinet (as Minister of Bougainville Affairs).¹²⁷

Lately, there has been issues of corruption in PNG's compulsory identification program leaving the population frustrated over the need to bribe officials to get their documents on time.¹²⁸ Ongoing corruption undermines the population's trust in many of PNG's institutions. In 2013, Transparency International found that 70 percent of respondents in PNG believed public officials and civil servants are corrupt or extremely corrupt. 63 percent thought the same of those in parliament or the legislature, 70 percent for those in political parties, and 85 percent for the police force.¹²⁹ Corruption, both perceived and real, is endemic in PNG.

RISK FACTOR 4: MOTIVES OR INCENTIVES

Risk Factor 4 concerns “Reasons, aims or drivers that justify the use of violence against protected groups, populations or individuals, including by actors outside of State borders.” There are three (of nine) indicators that are applicable to the situation in PNG.

Economic Interests

“Economic interests, including those based on the safeguard and well-being of elites or identity groups, or control over the distribution of resources” are included in indicator 4.2. This indicator is met in PNG, particularly in regard to the elite capture of capital associated with the prime economic driver in PNG – extractive resource industries. There are many reports of disputed or insufficient royalty payments to traditional landowners, illegal forced displacements, human rights and environmental impacts being ignored, all to control and protect elite and commercial (often transnational) interests (see further **indicators 1.7, 2.1 and 2.2**).

In 2016, a dispute emerged over the distribution of royalties from an LNG project in the Highlands region that persists to this day. The landowners allege that they have not received much of what they were promised, including cash but also infrastructure. Landowners reacted violently throughout 2017, and in November 2017 armed landowners blocked access entirely to the gas wells. The issue remains unresolved, and is exacerbated by an unrelated surge in tribal fighting in the region. The LNG projects are of significant economic interest to the government.¹³⁰

Past Grievances

Indicator 4.8 refers to the “politicization of past grievances, tensions or impunity” whilst **indicator 4.9** refers to “social trauma caused by past incidents of violence not adequately addressed and that produced feelings of loss, displacement, injustice and a possible desire for revenge”. There are number of past events that could lead to politicization, ongoing trauma, or incur a reaction if not addressed. Firstly, the Bougainville civil war saw 20,000 people lose their lives, and today there are still hundreds and possibly thousands of families who do not know the whereabouts of family members who went missing during the conflict.¹³¹ It is Bougainvillean tradition that deceased people are buried on their own land, and under international law, parties involved have an obligation to provide answers.¹³² The Autonomous Bougainville Government adopted a policy in 2014 to start addressing this issue; however the PNG national government needs to do the same. There are longstanding feelings of alienation among Bougainvilleans towards PNG, with secession still the aim for most.¹³³ There are also issues of forced displacement and disputes over land ownership in regard to the establishment of mines throughout the country, with often little to no redress (see **indicators 2.1 and 2.2**). Furthermore, the ongoing environmental harm of these projects and the lack of sufficient royalties to traditional landowners causes violent clashes and feelings of injustice.¹³⁴ Lastly, ongoing inter-tribal conflicts and a history of violence to settle disputes, is also prevalent in PNG (see further **indictor 1.1**).

RISK FACTOR 5: CAPACITY TO COMMIT ATROCITY CRIMES

Risk Factor 5 deals with “Conditions that indicate the ability of relevant actors to commit atrocity crimes.” This Risk Factor recognises that atrocity crimes require a degree of resources and/or support to commit such crimes. Of the eight indicators subsumed under this Risk Factor, just two are potentially applicable to the PNG context.

Potential Threat of Armed Actors

Any defence force has the capacity and therefore potential to become a threat. This would see **indicator 5.1** “availability of personnel and of arms and ammunition, or of the financial resources, public or private, for their procurement” and **indicator 5.2** “capacity to transport and deploy personnel and to transport and distribute arms and ammunition” potentially met in the context of PNG. Potential threats from other armed groups that could become future perpetrators include: armed paramilitaries hired by mining companies to provide security for their projects; and, private mercenaries to whom the PNG government has turned to in the past. For example, the PNG government hired Sandline International during the Bougainville civil war.¹³⁵ Additionally, the police force’s habitual use of excessive force, along with armed tribes with increased access to modern weaponry,¹³⁶ also provide potential threats. Lastly, disunity and clashes between the different security forces, notably the police and the defence forces, indicate an inability of the government to effectively rein in their security forces.¹³⁷

RISK FACTOR 6: ABSENCE OF MITIGATING FACTORS

Risk Factor 6 concerns the “Absence of elements that, if present, could contribute to preventing or to lessening the impact of serious acts of violence against protected groups, populations or individuals”. Such elements, either internal or external, are important considerations in terms of early warning. Of the 11 Indicators subsumed under Risk Factor 6, four are deemed relevant to the PNG context: limited opportunities for empowerment by minority groups; absence of a strong civil society sector; limited political or economic relations with other States or organizations; and, limited cooperation of the State with international and regional human rights mechanisms.

Lack of Awareness and Empowerment

Indicator 6.1 concerns “limited or lack of empowerment processes, resources, allies or other elements that could contribute to the ability of protected groups, populations or individuals to protect themselves”. While a lack of resources is outlined above in Risk Factors 2 and 3, this indicator underscores the connection between resources, capacity and human protection, especially amongst protected groups. Enhanced resources and capacity could help prevent or lessen the impact of violence. For example, a victim of sexual and gender-based violence who does not have access to local judicial processes for redress or wider social support services (e.g. shelter for protection), is forced to return home to their abuser and face repeat patterns of violence.¹³⁸ Further, the lack of empowerment processes for women leads to continued financial dependence on a partner, and could see victims unwilling and unable to seek justice.¹³⁹

Civil Society and Media

Indicator 6.2 refers to a “lack of a strong, organized and representative national civil society and of a free, diverse and independent national media”. PNG’s civil society and media is generally noted as strong and independent and is historically regarded as one of the most diverse, independent and vibrant in the Pacific. National and local media provide independent coverage, including of controversial issues.¹⁴⁰ Freedoms of speech, the press, and information are guaranteed under Section 46 of the constitution, whilst freedom of assembly and association is protected under Section 47 of the Constitution. Civil society groups are involved with providing social services, along with advocating for the environment, women’s rights, and anti-corruption, among other issues.

RISK FACTOR 6: ABSENCE OF MITIGATING FACTORS

However, Freedom House's 2015 report notes that press freedom has eroded somewhat over the last few years, with reports of threats and harassment against journalists.¹⁴¹ There are also reports of violent reprisals by police. For example, in June 2014, a journalist and cameraman were assaulted, temporarily detained without charge and their footage destroyed, when attempting to report on alleged police abuse in Port Moresby.¹⁴² Additionally, there are reports of government officials filing defamation lawsuits to restrict critical reporting, a strategy used by the PM in 2014 against two bloggers reporting wrongdoing.¹⁴³ More recently, during the 2017 election, Reporters Without Borders noted that journalists were kept at bay – including a gag-order being placed on a well-known blogger.¹⁴⁴ These practices could lead to media self-censorship. Moreover, recently a journalist was shot in the leg by police in the highlands.¹⁴⁵ Likewise, there has been recent assaults on journalists by political staff members, demonstrating the free press is experiencing extreme challenges in PNG.¹⁴⁶ These acts are occurring while the PNG government is considering a temporary ban of social media such as Facebook, to crack down on fake news. However, these acts are viewed as authoritarian by free speech advocates.¹⁴⁷

Relations with Other States and International Organisations

PNG enjoys relations with a number of states and organisations; therefore, most of the remaining indicators are not met. Since independence from Australia in 1975, the two countries have enjoyed close ties in regards to economic and development policy, Australia remaining PNG's largest bilateral donor of aid.¹⁴⁸ Membership in regional organisations includes the Asia Pacific Economic Cooperation (APEC) forum (with PNG hosting the forum in 2018), the South Pacific Commission and observer status in the ASEAN Regional Forum (ARF), among others.

However, **indicator 6.6** refers to a “lack of exposure, openness or establishment of political or economic relations with other States or organizations”. In July 2015, PNG banned the hiring of foreign advisors to the government, with the ban effective from 2016.¹⁵⁰ Exemptions to the ban included the police, defence forces, universities, and state-owned enterprises. Furthermore, **indicator 6.7** is related to “limited co-operation of the State with international and regional human rights mechanisms”. PNG has signed and ratified six international treaties relating to human rights, including the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Convention on the Rights of Persons with Disabilities (CRPD). However, reporting on human rights remains poor, with either no reports being submitted for some of the treaties, or no follow up reports provided.¹⁵¹ Additionally, there is as yet no National Human Rights Institution (NHRI) in PNG, as advocated by the Paris Principles relating to the status of national institutions. However, in September 2016 the PNG government stated that it remains committed to establishing a human rights commission.¹⁵²

RISK FACTOR 7: ENABLING CIRCUMSTANCES OR PREPARATORY ACTION

Risk Factor 7 is “Events or measures, whether gradual or sudden, which provide an environment conducive to the commission of atrocity crimes, or which suggest a trajectory towards their perpetration.” There are just two (of fourteen) indicators relevant to PNG. They are currently not severe enough to demonstrate preparatory action for atrocity crimes, yet demonstrate an environment conducive to them.

Interference with State Institutions

Indicator 7.2 refers to “suspension of or interference with vital State institutions, or measures that result in changes in their composition or balance of power, particularly if this results in the exclusion or lack of representation of protected groups”. This indicator is met in relation to the government’s interference and disbanding of the anti-corruption agency Task Force Sweep in 2014 whilst it was investigating PM O’Neill (see further **indicator 3.5**). Although the court reinstated the agency and the parliament passed legislation in November 2015 to establish a new Independent Commission Against Corruption,¹⁵³ Task Force Sweep has not received any funding from the government since 2013 and there are concerns that the new Commission will suffer from the same level and kinds of interference as before.¹⁵⁴

Restrictions on Civil Society Groups and Media

Indicator 7.7 refers to “expulsion or refusal to allow the presence of NGOs, international organizations, media or other relevant actors, or imposition of severe restrictions on their services and movements”. The government has restricted access for civil society groups and the media to the Manus Island Detention Centre, regularly denying any access.¹⁵⁵ These two indicators are currently not severe enough to demonstrate preparatory action for atrocity crimes; rather, they demonstrate an environment conducive to them.

RISK FACTOR 8: TRIGGERING FACTORS

Risk Factor 8 refers to “events or circumstances that, even if seemingly unrelated to atrocity crimes, may seriously exacerbate existing conditions or may spark their onset”. There are four indicators that partially or potentially relate to this Risk Factor.

Spill over from Neighbouring Countries

Indicator 8.2 concerns “spill over of armed conflicts or serious tensions in neighbouring countries”. Neighbouring PNG to the west are the Indonesian provinces of Papua and West Papua, where a long term low-level insurgency has been occurring between the Indonesian security forces and pro-independence forces, primarily the Free Papua Movement (Organisasi Papua Merdeka, OPM).¹⁵⁶ This enduring conflict has the potential to spill over into PNG, and there are already a number of refugees crossing the border and living in displacement camps (see **indicator 1.2**).

Upcoming Elections and Bougainville Referendum

Indicator 8.4 refers to “abrupt or irregular regime changes, transfers of power, or changes in political power of groups” and **indicator 8.8** refers to “census, elections, pivotal activities related to those processes, or measures that destabilize them”. The 2017 election, although marred with violence and allegations of manipulation, did not trigger atrocity crimes. However, elections in PNG are always tense affairs and they remain potent potential triggers. The Bougainville independence referendum, originally scheduled for June 2019, but postponed first to 17 October¹⁵⁷, then to 23 November¹⁵⁸, also meets both of these indicators. Moreover, **indicator 8.11** refers to “commemoration events of past crimes or of traumatic or historical episodes that can exacerbate tensions between groups, including the glorification of perpetra-

RISK FACTOR 8: TRIGGERING FACTORS

tors of atrocities”. While Bougainville peacefully celebrated 15 years of peace on 30 August 2016, there were calls for continued commitment to, and implementation of, the Bougainville Peace Agreement provisions, in particular the referendum.¹⁵⁹ Among the 250,000 Bougainvilleans there is strong support for independence, and this manifested during voting on the referendum, where 97 percent of the population voted for independence.¹⁶⁰ Despite this, a condition of the peace agreement was that the PNG Parliament would have “final decision making authority” over the results.¹⁶¹ How this will play out is unclear. Additionally, the reopening of the Panguna Copper Mine and entitlement to future profits remain a source of tension between Port Moresby and Bougainville. Former Prime Minister Peter O’Neill has also highlighted that PNG retains authority over the validity of the referendum, calling it ‘non-binding’¹⁶², a sentiment echoed by the current Prime Minister James Marape. In turn, the government in Bougainville has accused O’Neill of financially constraining the island, stymying its progress towards independence.¹⁶³ Despite a willingness of both parties to negotiate the outcome of the referendum in good faith, the potential of further insecurity, including defections from the peace agreement and even a return to conflict, remains. The Bougainville independence referendum has the capacity to trigger extreme responses from all interested parties, and should be scrutinized by the global community.

Potential Economic Crisis

Both **indicator 8.9** – “sudden changes that affect the economy or the workforce, including as a result of financial crises, natural disasters or epidemics” – and **indicator 8.10** – “discovery of natural resources or launching of exploitation projects that have a serious impact on the livelihoods and sustainability of groups or civilian populations” – both have the potential to be mildly or moderately met in PNG. As noted in **indicators 1.7** and **1.8**, despite GDP growth the economy of PNG remains unstable. This economic insecurity is further compounded by weak governance, corruption, and the elite capture and inadequate distribution of sovereign wealth (**indicator 3.5** and **5.2**). The reliance on extractive industries exposes PNG’s economy to fluctuations in global commodity prices, and without efficient fiscal management, national economic instability is likely to persist. Low global commodity prices are expected to remain in the short-term.¹⁶⁴ An annual population growth of 2.3 percent,¹⁶⁵ ongoing poverty and development challenges, poor governance, future (or lack of) extractive industry projects, and agricultural vulnerability to weather are all latent factors that can trigger an economic crisis.

SPECIFIC RISK FACTORS

The Framework of Analysis notes that common risk factors help to identify the probability of atrocity crimes overall, without necessarily identifying the type of crime whilst specific risk factors refer to the fact that each crime has elements and precursors that are not common to all three atrocity crimes: Genocide, crimes against humanity, and war crimes. It has now been broadly accepted in international law that widespread sexual and gender-based violence can constitute an atrocity crime, and that preventing such crimes is of equal importance in prevention strategies.¹⁶⁶ In PNG, the presence of this endemic human rights abuse relates to an increased risk of crimes against humanity, as outlined in the Specific Risk Factors below.

CRIMES AGAINST HUMANITY

RISK FACTOR 11:

SIGNS OF WIDESPREAD OR SYSTEMATIC ATTACK AGAINST ANY CIVILIAN POPULATION

Risk Factor 11 refers to “Signs of violent conduct including, but not limited to, attacks involving the use of force, against any civilian population and that suggest massive, large-scale and frequent violence (widespread), or violence with patterns of periodicity, similitude and organization (systematic)”.

Patterns of Violence Against Civilian Populations

Of most concern in the PNG context, are the issues of gender-based violence and inter-tribal violence. With regards to gender-based violence, **Indicator 11.1**, which refers to ‘signs of patterns of violence against civilian populations, or against members of an identifiable group, their property, livelihoods and cultural or religious symbols’, has been met. Violence against women is both endemic and ongoing within PNG (see further Risk Factor 2). The culture of impunity also contributes to this pattern (see further Risk Factor 2). While there is no policy or plan present (e.g. **indicator 11.5** “signs of a plan or policy to conduct attacks against civilian populations”), an increase in the violence (e.g. **indicator 11.2** “increase in the number of civilian populations or the geographical area targeted, or in the number, types, scale or gravity of violent acts committed against civilian populations”) is possible if the current situation is not addressed.

With regards to inter-tribal violence, **indicators 11.1** and **11.2**, in addition to **11.3** (“increase in the level of organization or coordination of violent acts and weapons used against a civilian population”) are met. Inter-tribal conflict often leads to the targeting of civilians in the cycle of retaliatory violence. Additionally, the level of violence has drastically increased with the availability of firearms in the region, with more civilians being killed (see further Risk Factor 1).¹⁶⁷

RISK FACTOR 12 :SIGNS OF A PLAN OR POLICY TO ATTACK ANY CIVILIAN POPULATION

Risk Factor 12 relates to “Facts or evidence suggestive of a State or organizational policy, even if not explicitly stipulated or formally adopted, to commit serious acts of violence directed against any civilian population”.

Widespread or Systematic Violence Against Civilian Populations

Indicator 12.9 refers to “widespread or systematic violence against civilian populations or protected groups, including only parts of them, as well as on their livelihoods, property or cultural manifestations”. Again this indicator is met due to the prevalence of sexual and gender-based violence within PNG (see further Risk Factor 2). Further, if impunity continues, it has the potential to meet **indicator 12.8** (“facilitating or inciting violence against the civilian population or protected groups, or tolerance or deliberate failure to take action, with the aim of encouraging violent acts”).

CONCLUSION AND RECOMMENDATIONS

The above risk assessment finds that the **current overall risk of atrocity crimes in Papua New Guinea is high.**

Within PNG, at least two indicators are met in all of the **Common Risk Factors**. Those of highest prevalence include **Risk Factors 1** (situations of armed conflict or instability), **2** (record of violations of international human rights) and **3** (weakness of State structures), with the majority of indicators within each being met. There is a moderate presence of **Risk Factors 4, 6 and 8**, and a lower incidence of **Risk Factors 5 and 7**. There is no indication of active plans or policies to commit or incite violence against the population; rather, what is in evidence are conditions that could generate environments conducive to atrocity crimes. The risk factors currently met are those that already place the state under stress, create risk of further human rights violations, and negatively affect the capacity of the state to prevent atrocity crimes (e.g. **Risk Factors 1, 2, 3, 6 and 8**). These particular issues of note, which contribute to the risk of atrocity crimes, include widespread violence, especially sexual and gender-based violence, poverty and economic inequality, weak inhibitors, corruption and impunity. Conversely, preparatory action, incentives and the capacity to commit atrocity crimes are not entirely present (e.g. **Risk Factors 4, 5 and 7**).

Of most concern, however, are the issues of gender-based violence and inter-tribal violence. With regards to gender-based violence, two indicators (**11.1** and **12.9**) within the **Specific Risk Factors of Crimes Against Humanity** are met. The incidence of endemic sexual and gender-based violence against women already constitutes a grave human rights abuse, but it also constitutes widespread and systematic patterns of violence against civilian populations. PNG is clearly one of the most dangerous places in the world to be a woman. While only two indicators have been met, the issue is exacerbated by widespread impunity, ubiquitous gender inequality, and a lack of complete implementation of the new protection laws.

Additionally, the prevalence of inter-tribal violence meets **indicator 1.1** of the **Common Risk Factors**, as well as **indicators 11.1, 11.2 and 11.3** of the **Specific Risk Factors of Crimes Against Humanity**. Inter-tribal violence, and the resulting humanitarian consequences, are becoming increasingly prevalent in PNG. Civilian populations continue to be targeted in the crossfire of tribal conflict. PNG has yet to implement any real measures to prevent such violence and protect its civilian populations.

Due to the assessment of PNG as a high risk situation for atrocity crimes, recommendations must focus on protecting civilians, and preventing the escalation of violence and development of additional factors that are conducive to atrocity crimes. While it may take time and resources, the underlying root causes of political, economic and social instability and inequality must also be addressed.

CONCLUSION AND RECOMMENDATIONS

RECOMMENDATIONS FOR ALL LEVELS OF GOVERNANCE PNG	
The following recommendations must involve cooperation between all levels of governance (national to village), and the willingness and ability to adapt and customize them where needed (ethnic diversity and geography makes PNG a truly unique country; wide-reaching and well-resourced steps are required to ensure affective implementation and inclusive involvement).	
1	Implement Laws to Address Sexual and Gender-Based Violence The Family Protection Act 2013, Sorcery National Action Plan 2015, and Child Welfare Act 2015 must be implemented in their entirety. These laws would help address the current issue of endemic sexual and gender-based violence by improving access to and quality of medical care, psychological care, shelter, protection and access to justice mechanisms, and by providing specifically trained police units. Without their nationwide implementation, their effect is limited. Further, as these laws are new, monitoring of their implementation and effectiveness should occur so additional areas that need to be addressed can be in a timely manner.
2	Implement a Comprehensive Program of Action to Prevent and Resolve Further Inter-tribal Violence This ongoing issue cannot be ignored by the government or only addressed when a conflict threatens the security of one of the countries many mines. A focus on conflict resolution must occur through cooperation between authorities, NGOs and village communities. Peaceful dispute resolution options (for example village courts), areas for dialogue, and awareness are needed to change the norm and tradition of violence to resolve disputes. Further areas to address include investigations into the proliferation of arms, increased resources for police to gain access to the remote highlands and resources and support for IDPs.
3	Include Civilian Mediators and Gender Experts in Security Responses Any police or security response to violence, particularly inter-tribal violence, must be accompanied by faith-based actors, other civilian peace mediators, and regional gender experts. The police and security forces in PNG are known perpetrators of violence against women. In order to prevent the further targeting of women in retaliatory inter-tribal violence, it is important to include a gendered and faith-based approach to stabilization and security intervention. Such an approach can be undertaken with the inclusion of civilian mediators and gender experts.
4	Improve Access to Resources and Support for Women While the above laws would greatly help to address endemic sexual and gender-based violence, more could be done to improve access and support for victims. For example, family protection centres must be established in all villages, access to formal courts must be improved, and further training of all levels of the justice system must be provided. Furthermore, funding for women's support groups should be allocated, and partnerships between the numerous levels of government, law enforcement, NGOs, faith-based organisations and village communities should be created. The PNG government should improve its reporting on the international human rights treaties and obligations, and establish a National Human Rights Commission.
5	Raise Awareness of Women's Rights As gender inequality is a pervasive issue, more must be done to raise awareness of women's rights in both the public and private spheres. It is not just about protecting women, but also about ensuring that men and the community at large are equally aware and involved in these processes to change norms, attitudes and traditions. Awareness should be raised through education, strategies should be implemented to remove the stigma of reporting violence, and empowerment of women should be encouraged through increased economic opportunities.
6	Address Impunity and Excessive Force Training for all police must occur to ensure sexual violence is no longer viewed as a private matter and laws are enforced and convictions made. Further, alternatives to the solution of compensation should be discussed and developed so justice is received. Transparent investigations into the most recent student shootings should occur along with any further allegations of police brutality. Those found responsible should be charged and all police officers should be trained in regards to human rights laws, the use of force and accountability.
7	Address Corruption Corruption is a hindrance to development and stability and must be addressed. The government must allow for any allegations and ongoing investigations of fraud to go ahead without interference. Further, funding must continue to anti-corruption institutions and the culture of interference in such bodies must be removed. There needs to be a commitment made by all levels of government and law enforcement to remain transparent and accountable in all dealings. The government should also consider developing a system to monitor human rights surrounding extractive industry projects, as indigenous rights to land ownership must be better recognized and protected, ensuring that the rightful owners receive what they deserve and environmental protections are followed.

CONCLUSION AND RECOMMENDATIONS

8	Address Human Development and Poverty The government and its partners should focus further on improving and investing in health, education, infrastructure, employment, and social services to tackle high levels of poverty and inequality, and low levels of human development. As the reliance on extractive industries finds PNG's economy constantly vulnerable to changes in global commodity prices, efficient fiscal management is required to safeguard stability and to ensure that revenues are translated into improved living standards for all. This will help strengthen PNG's capacity to prevent atrocity crimes.
9	Bougainville Monitoring and Reconciliation The situation in Bougainville post-referendum should be addressed and negotiations over the outcome should be undertaken in good faith, in accordance with previous agreements, so as to limit the risk of it triggering an outbreak of violence. Furthermore, investigations for families of those who went missing during the civil war should be undertaken to help address past grievances and allow for complete reconciliation processes.
RECOMMENDATIONS FOR FOR THE INTERNATIONAL COMMUNITY	
1	Monitor the Situation The international community, including the Pacific Island Forum and Australia, should continue to monitor the stability of PNG and provide assistance in the event of stressors such as elections and natural disasters that may affect stability. We must also ensure that diplomatic staff closely monitor the situation.
2	Provide Support The international community should provide technical support and assistance in order to counter gender-based violence and inter-tribal warfare. This may include sending regional civilian mediators and gender experts to work with the government.
3	Provide Aid Infrastructural development aid from the international community should be supplied to assist in developing transportation and communication to remote areas. Developing transportation and communication in remote areas may help to combat inter-tribal violence by allowing the police and security forces to easily access these areas.
4	Ensure Accountability The international community has ensured a free and fair Bougainville referendum. They now also must continue to ensure the PNG government is accountable in subsequent negotiations of the result.
RECOMMENDATIONS FOR CIVIL SOCIETY	
1	Monitor the Situation Civil society actors in PNG should help monitor the situation in PNG alongside the international community. CSOs can also help develop an early warning system for atrocity crimes.
2	Ensure Accountability and Legitimacy Civil society actors should urge the government to maintain free and fair elections, and help to combat electoral violence and corruption.
3	Raise Awareness of Women's Rights Civil society actors should continue to advocate for women's rights by raising awareness and working to empower women. Additionally, CSOs should help provide resources for women affected by gender-based violence.

END NOTES

1. United Nations Development Programme (UNDP). 2016a. About Papua New Guinea. Accessed 21 October 2016. Available at http://www.pg.undp.org/content/papua_new_guinea/en/home/countryinfo/
2. Regan, A. 2013. 'Bougainville: Conflict Deferred?' In E. Aspinall, R. Jeffrey & A. Regan (eds.) *Diminishing Conflicts in Asia and the Pacific: Why Some Subside and Others Don't*. Abingdon: Routledge, pp. 120-3.
3. Regan, A. 2013. Ibid.
4. Regan, A. 2013. Ibid.
5. Noonan, A. 2015. 'Timeline of events: Papua New Guinea's road to independence'. ABC News. Accessed 23 October 2016. Available at <http://www.abc.net.au/news/2015-09-16/timeline-of-papua-new-guinea-road-to-independence/6748374>
6. United Nations Development Programme (UNDP). 2015b. 'The Kondika Tribal Conflict: A Sub-clan Mediation in the Papua New Guinea Highlands'. In *Sharing and Exploring Pacific Approaches to Dialogue: A Compendium of Case Studies from Pacific Island Countries*. New York: United Nations Development Programme, p. 1.; Wilson, C. 2015. 'Clan Wars Increase Displacement, Hinder Development in Papua New Guinea'. Inter Press Service News Agency. Accessed 19 October 2016. Available at <http://www.ipsnews.net/2015/08/clan-wars-increase-displacement-hinder-development-in-papua-new-guinea/>
7. Internal Displacement Monitoring Centre (IDMC). 2014. Papua New Guinea: Invisible and Neglected Protracted Displacement. Accessed 23 October 2016. Available at <http://www.internal-displacement.org/south-and-south-east-asia/papua-new-guinea/2014/papua-new-guinea-invisible-and-neglected-protracted-displacement> ; UNDP, 2015b. Ibid., p. 2.
8. UNDP, 2015b. Ibid., p. 1;
9. Internal Displacement Monitoring Centre (IDMC). 2016. *Global Report On Internal Displacement 2016*. Geneva: Internal Displacement Monitoring Centre, p. 26.
10. IDMC. 2014. Ibid.; UNDP 2015b. Ibid., p. 1.
11. IDMC. 2014. Ibid.; Wilson, C. 2015. Ibid.; International Committee of the Red Cross (ICRC). 2017. 'Spears to semi-automatics: The human cost of conflict in Papua New Guinea Highlands'. Accessed 12 December 2017. Available at <https://www.icrc.org/en/papua-new-guinea-tribal-fights>
12. ABC News 2018 'Papua New Guinea declares nine-month state of emergency over riots' 16.06.2018. Available at <https://www.abc.net.au/news/2018-06-16/papua-new-guinea-declares-state-of-emergency-over-riots/9877830>
13. Human Rights Watch (HRW). 2017. *World Report*. New York: Human Rights Watch.
14. UNDP. 2016a. Ibid.
15. IDMC. 2014. Ibid.; UNDP 2016a. Ibid.
16. World Food Programme (WFP). 2016. 'Papua New Guinea Drought: WFP Food Distributions Wind Up Amid Signs Of Recovery'. World Food Programme. Accessed 23 October 2016. Available at <http://www.wfp.org/news/news-release/papua-new-guinea-drought-wfp-food-distributions-wind-amid-signs-recovery>
17. International Organization for Migration (IOM). 2016. Papua New Guinea drought and floods response, Situation Report - 31 May 2016. Relief Web. <https://reliefweb.int/report/papua-new-guinea/papua-new-guinea-drought-and-floods-response-situation-report-31-may-2016>
18. United Nations Development Programme (UNDP). 2017. 'PNG prepares early for potential El Nino event'. Accessed 19 December 2017. Available at http://www.pg.undp.org/content/papua_new_guinea/en/home/presscenter/pressreleases/2017/05/30/png-prepares-early-for-potential-el-nino-event.html , p. 1, 5.
19. ABC News 2018 'Papua New Guinea villagers forced to flee after volcano erupts' 26.08.2018. Available at <https://www.abc.net.au/news/2018-08-26/papua-new-guinea-volcano-erupts-forcing-villagers-to-flee/10166370>
20. ABC News. 2018. 'PNG earthquake: 11 people dead after strong aftershocks rock Highlands'. Accessed 02 December 2018. Available at <https://www.abc.net.au/news/2018-03-05/aftershocks-rattles-quake-hit-papua-new-guinea/9508534>. And, Yara Murray-Atfield 2018 'PNG earthquake: A whole 'generation' of children at risk of missing out on schooling in devastated Highlands' ABC News 21.03.2018. Available at <https://www.abc.net.au/news/2018-03-21/png-quake-generation-of-children-education/9570768>
21. Eric Tlozek 2018. 'More police sent to PNG's Highlands as violence hampers earthquake relief effort'. ABC News 20.03.2018. Available at <https://www.abc.net.au/news/2018-03-20/armed-police-sent-to-png-highlands-to-quell-violence/9567678>
22. UNDP. 2016a. Ibid.
23. Medecins Sans Frontieres (MSF). 2016a. *International Activity Report 2015*. Amsterdam: Medecins Sans Frontieres, p. 66.
24. UNDP. 2016a. Ibid.
25. Michael Walsh 'Polio outbreak in Papua New Guinea, 18 years after the country was certified polio-free'. ABC News 27.06.2018. Available at <https://www.abc.net.au/news/2018-06-27/polio-outbreak-declared-in-png-18-years-after-polio-free-status/9913684>
26. UNDP. 2016a Ibid.
27. Asia Foundation, The. 2014. 'Comparative Review of Village Governance in Cambodia, Indonesia, Papua New Guinea, and the Philippines: Local Governance', Policy Brief No. 1. Dili: The Asia Foundation, p. 14.; Freedom House. 2015. *Freedom of the Press 2015: Papua New Guinea*. Accessed 22 October 2016. Available at <https://freedomhouse.org/report/freedom-press/2015/papua-new-guinea>
28. Department of Foreign Affairs and Trade (DFAT). 2016. 'Papua New Guinea Country Brief'. Accessed 18 October 2016.

END NOTES

- Available at <http://dfat.gov.au/geo/papua-new-guinea/Pages/papua-new-guinea-country-brief.aspx> ; Noonan, A. 2015. Ibid.
29. Noonan, A. 2015. Ibid.
30. ABC News. 2016a. 'Papua New Guinea Prime Minister Peter O'Neill Survives No Confidence Vote 85-21'. Accessed 20 October 2016. Available at <http://www.abc.net.au/news/2016-07-22/papua-new-guinea-prime-minister-wins-no-confidence-vote/7651404>
31. ABC News. 2017a. 'PNG election: Constitutional watchdog intervenes after election ends in controversy'. Accessed 20 December 2017. Available at <http://www.abc.net.au/news/2017-07-29/pngs-watchdog-intervenes-as-election-ends-in-controversy/8755588>
32. May, R. 2017. 'Papua New Guinea's Election: What Happened, What Next?'. Australian Institute of International Affairs. Accessed 23 December. Available at <http://www.internationalaffairs.org.au/australianoutlook/papua-new-guineas-election-happened-next/>
33. ABC News. 2017b. 'Papua New Guinea expands security crackdown to quell post-election violence'. Accessed 20 December 2017. Available at <http://www.abc.net.au/news/2017-08-18/png-expands-security-crackdown-to-quell-post-election-violence/8817990>
34. United Nations Development Programme (UNDP). 2016b. 'Bougainville Celebrates 15 Years of Peace'. Accessed 25 October 2016. Available at http://www.pg.undp.org/content/papua_new_guinea/en/home/presscenter/pressreleases/2016/09/01/bougainville-celebrates-15-years-of-peace-.html
35. World Bank. 2016a. Papua New Guinea. Accessed 19 October 2016. Available at <http://www.worldbank.org/en/country/png>
36. World Bank. 2016b. Reducing Vulnerabilities: East Asia and Pacific Economic Update. Washington, DC: The World Bank Group, p. 136.
37. Ibid.
38. World Bank. 2017. Papua New Guinea Economic Update. Washington, DC: The World Bank Group, p. 7.
39. Ibid.
- 40 World Bank. 2017. Papua New Guinea Economic Update. Washington, DC: The World Bank Group, p.7.
- 41 World Bank 2019. Papua New Guinea Economic Update. Accessed 18 July 2019. Available at <https://www.worldbank.org/en/country/png/publication/papua-new-guinea-slower-growth-better-prospects>
- 42 Ibid
- 43 Ibid
- 44 World Bank 2016a. Ibid.
- 45 UNDP, 2015b. Ibid., p. 1.
- 46 Cf. Amnesty International. 2010. 'Undermining Rights: Forced Evictions and Police Brutality Around the Porgera Gold Mine, Papua New Guinea'. London: Amnesty International, p. 3.; Asia Foundation, The. 2014. Ibid., p. 28; Freedom House. 2016. Freedom in the World 2016: Papua New Guinea. Accessed 22 October 2016. Available at <https://freedomhouse.org/report/freedom-world/2016/papua-new-guinea> ; Human Rights Watch (HRW). 2016b. World Report. New York: Human Rights Watch, p. 449 ; World Bank 2016a. Ibid.
- 47 Natalie Whiting 2018 'Papua New Guinea rolling out red carpet for APEC but locals living in poverty' ABC News 11.11.2018. Available at <https://www.abc.net.au/news/2018-11-11/papua-new-guinea-spends-big-on-apec-but-locals-in-poverty/10485862>
- 48 Andrew Greene 2018 'Australian Special Forces to protect world leaders at APEC meeting in Papua New Guinea' ABC News 12.09.2018. Available at <https://www.abc.net.au/news/2018-09-12/special-forces-topng/10234058>
- 49 Yara Murray-Atfield 'APEC 2018: 40 Maseratis, three cruise ships, 4,000 police and no Donald Trump' ABC News 12.11.2018. Available at <https://www.abc.net.au/news/2018-11-12/your-guide-to-the-apec-leaderssummit-in-png/10471794>
- 50 ABC News 2018 'PNG Police storm Parliament over lack of APEC payments, ABC understands' 20.11.2018. Available at <https://www.abc.net.au/news/2018-11-20/police-storm-png-parliament-over-lack-of-apec-payments/10514774>
- 51 Asia Foundation, The. 2014. Ibid., p. 27
- 52 United Nations Development Programme (UNDP). 2018. Human Development Report. Accessed July 18 2019. Available at <http://hdr.undp.org/en/countries/profiles/PNG>.
- 53 UNDP 2016a. Ibid
- 54 United Nations Development Programme (UNDP). 2015a. Human Development Report 2015. New York: United Nations Development Programme, p. 210
- 55 Ibid., p. 252.
- 56 UNDP 2016a. Ibid.
- 57 Yara Murray-Atfield 2018 'PNG earthquake: A whole 'generation' of children at risk of missing out on schooling in devastated Highlands' ABC News 21.03.2018. Available at <https://www.abc.net.au/news/201803-21/png-quake-generation-of-children-education/9570768>
- 58 UNDP 2016c:. Ibid., p. 216.
- 59 International Women's Development Agency. 2017. 'Why were zero women elected to Papua New Guinea's parliament?'

END NOTES

- Accessed July 2018. Available at <https://iwda.org.au/where-were-the-women-in-papua-new-guineas-election/>.
- 60 Connors, A. and A. Barker. 2016. 'Papua New Guinea shooting: Why were students protesting against Peter O'Neill's Government?' ABC News. Accessed 20 October 2016. Available at <http://www.abc.net.au/news/2016-06-08/papua-new-guinea-violence-student-anger-at-oneill/7492874>
- 61 International Crisis Group (ICG). 2016. Crisis Watch Papua New Guinea. Accessed 24 October 2016. Available at <https://www.crisisgroup.org/asia/pacific/papua-new-guinea>
- 62 HRW 2016b. Ibid., p. 447.
- 63 Medecins Sans Frontieres (MSF). 2016b. Return to Abuser: Gaps in Services and a Failure to Protect Survivors of Family and Sexual Violence in Papua New Guinea. Amsterdam: Medecins Sans Frontieres, p. 11.
- 64 Ellsberg, M. et al. 2012. 'Violence against women in Melanesia and Timor-Leste. Progress made since the 2008 Office of Development Effectiveness report.' Office of Development Effectiveness (Australian Government) and the International Centre for Research on Women (ICRW). <https://www.usip.org/sites/default/files/missing-peace/Ellsberg-Mary.pdf> ; HRW 2016b. Ibid., p. 447.
- 65 Amnesty International. 2016. Ibid., p. 288 ; MSF 2016b. Ibid., p. 46.
- 66 Eric Tolzek 2018 'PNG earthquake: Women and children facing 'double trauma' from quake and tribal fighting' ABC News 02.04.2018. Available at <https://www.abc.net.au/news/2018-04-02/png-earthquakecom-pounds-impact-of-tribal-fighting-on-women/9596638>
- 67 Asia Foundation, The. 2014. Ibid., p. 26 ; Fulu, E., X. Warner, S. Miedema, R. Jewkes, T. Roselli, and J. Lang. 2013. Why Do Some Men Use Violence Against Women and How Can We Prevent It? Quantitative Findings from the United Nations Multi-country Study on Men and Violence in Asia and the Pacific. Bangkok: UNDP , UNFPA, UN Women and UNV, p. 36, 52 ; MSF 2016b. Ibid., p. 50.
- 68 Fulu et al. 2013. Ibid., p. 43, 29, 61, 44.
- 69 MSF. 2016b. Ibid., p. 46.
- 70 MSF. 2016b. Ibid., p. 50.
- 71 Feil, Daryl K. 1980. "Symmetry and complementarity: patterns of competition and exchange in the Enga tee." Oceania vol. 51, no. 1, p. 20-39.
- 72 MSF. 2016b. Ibid., p. 50.
- 73 Amnesty International, 2011. 'Papua New Guinea: Violence against women, sorcery-related killings and forced evictions: Amnesty International Submission to the UN Universal Periodic Review', May 2011. Available at: <https://web.archive.org/web/20110825010721/http://www.amnesty.org/en/library/asset/ASA34/005/2010/en/8fac8481-2baf-46df-afaf-0b13d1ce33f2/asa340052010en.html>
- 74 Clark, H. 2015. 'Sorcery and Sexism in Papua New Guinea'. The Diplomat. Accessed 24 October 2016. Available at <http://thediplomat.com/2015/06/sorcery-and-sexism-in-papua-new-guinea/>
- 75 Human Rights Watch (HRW), 2017. 'Papua New Guinea: Events of 2016'. <https://www.hrw.org/world-report/2017/country-chapters/papua-new-guinea>
- 76 E.g. Mosko, M. 2005. 'Literal Meanings: The Case of Mekeo Sorcery', The Asia Pacific Journal of Anthropology, vol. 6, no. 1, p. 57-79
- 77 See contribution in: Forsyth, M. and Eves, R., (eds.) 2015. Talking it through: responses to sorcery and witchcraft beliefs and practices in Melanesia. ANU Press.
- 78 Amnesty International. 2016. Ibid., p. 288 ; Clark, H. 2015. Ibid. ; HRW 2016b. Ibid., p. 447. Cf. Forsyth, M., 2016. The Regulation of Witchcraft and Sorcery Practices and Beliefs. Annual Review of Law and Social Science, vol. 12, pp. 331-351.
- 79 U.S. Department of State (2016), Papua New Guinea, 2016 Human Rights Report, Bureau of Democracy, Human Rights, and Labor. <https://www.state.gov/documents/organization/265576.pdf> p. 21.
- 80 Post Magazine. 2019. 'In Papua New Guinea, witch hunts, torture and murder are reactions to the modern world.' Accessed July 18 2019. Available at <https://www.scmp.com/magazines/post-magazine/long-reads/article/3003791/papua-new-guinea-witch-hunts-torture-and-murder>.
- 81 RNZ News. 2019. 'Facebook used to sensationalise sorcery accusations in PNG.' Accessed July 1 2019. Available at <https://www.rnz.co.nz/international/pacific-news/391285/facebook-used-to-sensationalise-sorcery-accusations-in-png>
- 82 Amnesty International. 2016. Ibid., p. 288.
- 83 Human Rights Watch (HRW). 2016a. 'Papua New Guinea: Police Shoot Student Protesters'. Accessed 22 October 2016. Available at <https://www.hrw.org/news/2016/06/09/papua-new-guinea-police-shoot-student-protesters>
- 84 Ibid.
- 85 See: Freedom House 2016. Ibid., HRW 2016b. Ibid., p. 450
- 86 Amnesty International. 2016. Ibid., p. 288 ; HRW 2016b. Ibid., p. 447 ; MSF 2016b. Ibid., p. 46.
- 87 Amnesty International. 2010. Undermining Rights: Forced Evictions and Police Brutality Around the Porgera Gold Mine, Papua New Guinea. London: Amnesty International, p. 3
- 88 Ibid., p. 4.
- 89 Ibid., p. 9.
- 90 HRW 2016b. Ibid., p. 449.
- 91 Doherty, B. 2016. 'Manus Island staff told deportations will begin this month'. 6 October, 2016. The Guardian. <https://>

END NOTES

www.theguardian.com/australia-news/2016/oct/06/manus-island-staff-told-deportationswill-begin-this-month

92 ABC News. 2017c. 'Manus Island: PNG authorities move in and tell men to leave detention centre'. Accessed 30 December 2017. Available at <http://www.abc.net.au/news/2017-11-23/police-move-in-to-manusisland-detention-centre/9183044>

93 Ibid.

94 ABC News. 2017d. 'Manus Island: UN High Commissioner for Human Rights demands services be restored to centre'. Accessed 30 December 2017. Available at <http://www.abc.net.au/news/2017-11-03/manus-island-un-calls-on-australia-to-end-centre-stand-off/9117996>

95 ABC News. 2017e. 'Manus Island protesters block access to refugee accommodation, supplies'. Accessed 30 December 2017. Available at <http://www.abc.net.au/news/2017-12-19/manus-island-protesters-block-access-to-refugee-accommodation/9271790>

96 Eric Tlozek 2018 'Manus Island: PNG wants Australia to put deadline on refugee resettlement' ABC News 21.03.2018. Available at <https://www.abc.net.au/news/2018-03-21/australia-urged-to-put-dead-line-onmanus-refugee-resettlement/9569258>

97 ABC News. 2019. Manus self-harm crisis escalates as governor calls for help.' Accessed July 18 2019. Available at <https://www.abc.net.au/news/2019-06-13/manus--self-harm-crisis-escalates-as-governor-calls-for-help/11199258>

98 The Guardian News. 2019. 'Notorious PNG police unit deployed at Manus refugee camp as tensions rise.' Accessed July 18 2019. Available at <https://www.theguardian.com/australia-news/2019/jun/04/notorious-png-police-unit-deployed-at-manus-refugee-camp-as-tensions-rise>

99 Amnesty International. 2016. Ibid., p. 288 ; HRW 2016b. Ibid., p. 447 ; MSF 2016b. Ibid., p. 43.

100 HRW 2016b. Ibid., p. 447 ; MSF 2016b. Ibid., p. 46-7.

101 MSF 2016b. Ibid., p. 13.

102 Amnesty International. 2016. Ibid., p. 288 ; HRW 2016b. Ibid., p. 450. See also: Mcleod, A. and Macintyre, M., 2010. 'The Royal Papua New Guinea Constabulary'. In V. Luker & S. Dinnen (eds.) Civic Insecurity: Law, Order and HIV in Papua New Guinea, ANU-E Press, Australian National University: Canberra, p. 167-178.

103 HRW 2016b. Ibid., p. 450.

104 MSF 2016b. Ibid., p. 45.

105 Asia Foundation, The. 2014. Ibid., p. 27.

106 See: Australian Aid. 2016. 'Evaluation of Village Court Officials': Training Summary of Findings (Volume 1 of the Evaluation Report). Final Report, March, 2016. Australian Government, PNG-Australia Law and Partnership-Transition Program ; Bridgeman, T. 2007. 'The Relationship Between Women's Access to Justice and Development: Papua New Guinea: A Case Study to Link Theory with Reality'. Honours Thesis. Faculty of Law, University of Otago ; McLeod, A. 2003. Gender Analysis of Law and Justice Sector Agencies. Report prepared for Law and Justice Sector Program, Port Moresby.

107 Asia Foundation, The. 2014. Ibid., p. 27.

108 MSF 2016b. Ibid., p. 47.

109 Ibid., p. 45.

110 Ibid., pp.38-9.

111 HRW 2016b. Ibid., p. 447 ; MSF 2016b. Ibid., p. 46.

112 MSF 2016b. Ibid., p. 46.

113 Ibid., p. 39.

114 ABC News 07.03.2018 'Numbers of homeless children on the rise in PNG' Available at <https://www.abc.net.au/radio-australia/programs/pacificbeat/numbers-of-homeless-children-on-the-rise-in-png/9590958>

115 Lauren Beldi 2018 'PNG children are being sold so families can make ends meet, welfare workers warn' ABC News 27.09.2018. Available at <https://www.abc.net.au/news/2018-09-27/children-for-sale-in-papuanew-guinea/10312350>

116 Freedom House 2016. Ibid.

117 International Committee of the Red Cross (ICRC). 2016b. 'PNG police must know human rights law, says Commissioner'. Accessed 23 October 2016. Available at <https://www.icrc.org/en/document/png-police-must-know-human-rights-law-says-commissioner>

118 DFAT. 2017. DFAT Country Information Report PAPUA NEW GUINEA. Australian Government, Department of Foreign Affairs and Trade (DFAT). 10 February 2017 <http://dfat.gov.au/about-us/publications/Documents/country-information-report-papua-new-guinea.pdf>

119 MSF 2016b. Ibid., p. 52.

120 Freedom House 2016. Ibid.

121 Transparency International. 2018. Corruption Perceptions Index 2018. Accessed July 18 2019. Available at <http://www.transparency.org/country#PNG>

122 Connors, A. and A. Barker. 2016. 'Papua New Guinea shooting: Why were students protesting against Peter O'Neill's Government?' ABC News. Accessed 20 October 2016. Available at <http://www.abc.net.au/news/2016-06-08/papua-new-guinea-violence-student-anger-at-oneill/7492874>

123 Connors, A. and A. Barker. 2016. Ibid.; Freedom House 2016. Ibid.; HRW 2016b. Ibid., p. 448.

124 ABC News. 2017f. 'PNG Supreme Court dismisses warrant for Peter O'Neill's arrest over corruption allegations'. Ac-

END NOTES

- cessed 2 January 2018. Available at <http://www.abc.net.au/news/2017-12-15/pngs-supremecourt-quashes-arrest-warrant-for-pm-peter-oneill/9263744>
- 125 HRW 2016b. Ibid., p. 448.
- 126 ABC News. 2017g. 'PNG PM Peter O'Neill announces inquiry into naval base relocation scandal'. Accessed 2 January 2018. Available at <http://www.abc.net.au/news/2017-03-08/port-moresby-navel-basescandal-to-be-probed-by-inquiry/8333930>
- 127 DFAT. 2019. 'Papua New Guinea – Cabinet Ministers'. Accessed 5 November 2019. Available at <https://dfat.gov.au/geo/papua-new-guinea/Pages/papua-new-guinea-cabinet-ministers.aspx>.
- 128 Bethanie Harriman 2018 'PNG minister defends controversial national identification program' ABC News 27.06.2018. Available at <https://www.abc.net.au/news/2018-06-27/png-national-identification-program/9912590>
- 129 Transparency International. 2013. Global Corruption Barometer 2013. Accessed 25 October 2016. Available at http://www.transparency.org/gcb2013/country/?country=papua_new_guinea
- 130 ABC News. 2017b. Ibid.; ABC News. 2017h. 'PNG landowners block access to gas wells over royalty disputes'. Accessed 9 January 2018. Available at <http://www.abc.net.au/news/2017-11-29/png-landownersseize-gas-wells-over-royalty-disputes/9206828>
- 131 International Committee of the Red Cross (ICRC). 2016a. 'International Day of the Disappeared: ICRC calls for more effort to establish fate of missing persons from Bougainville Crisis'. Accessed 23 October 2016. Available at <https://www.icrc.org/en/document/international-day-disappeared-icrc-calls-more-effort-establish-fate-missing-persons>; Cf. Regan, A. 2013. Ibid.
- 132 Ibid.
- 133 Andrews, S. 2016. 'States-in-Waiting: Introducing Your Future Pacific Neighbors'. The Diplomat. Accessed 20 October 2016. Available at <http://thediplomat.com/2016/04/states-in-waiting-introducing-your-future-pacific-neighbors/>
- 134 Amnesty International. 2010. Ibid., p. 3; HRW. 2016b. p. 449
- 135 Andrews, S. 2016. Ibid.
- 136 Wilson, C. 2015. 'Clan Wars Increase Displacement, Hinder Development in Papua New Guinea'. Inter Press Service News Agency. Accessed 19 October 2016. Available at <http://www.ipsnews.net/2015/08/clan-wars-increase-displacement-hinder-development-in-papua-new-guinea/>
- 137 ABC News. 2017i. 'PNG police, military clash on New Year's Day; investigation underway'. Australian Broadcast Corporation (ABC), 2 January, 2017. Accessed 21 November, 2017. Available at <http://www.abc.net.au/news/2017-01-02/png-police-and-soldiers-clash/8157860>
- 138 MSF 2016b. Ibid., p. 31.
- 139 MSF 2016b. Ibid., p. 47.
- 140 Freedom House. 2015, Ibid., 2016. Ibid.
- 141 Freedom House. 2015, Ibid.
- 142 Ibid.
- 143 Ibid.
- 144 Reporters Without Borders. 2017. 'Journalists kept at bay during Papua New Guinea elections'. 24 July, 2017. <https://rsf.org/en/news/journalists-kept-bay-during-papua-new-guinea-elections>
- 145 ABC News 2018 'PNG police under criticism after journalist shot in the leg' 13.04.2018 Available at <https://www.abc.net.au/radio-australia/programs/pacificbeat/png-police-under-criticism-after-journalist-gets/9654314>
- 146 Bruce Hill 2018 'Pacific islands governments move to curtail free press as local media figure issues call to arms' ABC News 07.03.2018. Available at <https://www.abc.net.au/news/2018-03-07/pacific-governments-curtail-free-press/9507006>
- 147 Eric Tlozek 2018 'Papua New Guinea considers 'temporary' ban on Facebook, citing illegal use' ABC News 29.05.2018. Available at <https://www.abc.net.au/news/2018-05-29/png-considers-temporary-ban-on-facebook/9813506>
- 148 DFAT. 2016. 'Papua New Guinea Country Brief'. Accessed 18 October 2016. Available at <http://dfat.gov.au/geo/papua-new-guinea/Pages/papua-new-guinea-countrybrief.aspx>
- 149 HRW 2016b. Ibid., p. 451
- 150 Freedom House. 2016, Ibid.
- 151 United Nations Office of the High Commissioner of Human Rights (OHCHR). 2016. Reporting Status for Papua New Guinea. Accessed 19 October 2016. Available at http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/countries.aspx?CountryCode=PNG&Lang=EN
- 152 HRW. 2017. Ibid.
- 153 Freedom House. 2016, Ibid.
- 154 HRW 2016b. Ibid., p. 448.
- 155 Ibid., p. 450.
- 156 Cf. Anderson, K. 2015. 'Colonialism and "Cold Genocide": The Case of West Papua'. Genocide Studies and Prevention, vol. 9, no. 2, pp. 11-19; Bevege, A., 2014. 'A Secret Genocide: The Blood Politics of West Papua'. AQ: Australian Quarterly, vol. 85, no. 3, p. 7-28; Brundige, E. 2004. Indonesian Human Rights Abuses in West Papua: Application of the Law of Genocide to the History of Indonesian Control. Allard K. Lowenstein International Human Rights Clinic Yale Law School, April,

END NOTES

2004. A paper prepared for the Indonesia Human Rights Network.

157 Reuters. 2019. 'Bougainville independence vote delayed to October.' Accessed July 18 2019. Available at <https://www.reuters.com/article/us-papua-bougainville/bougainville-independence-vote-delayed-to-october-idUSKCN1QI3XI>.

158 Bohane, Ben, 2019. 'The Bougainville Referendum and Beyond'. Accessed 5 November 2019. Available at <https://www.lowyinstitute.org/publications/bougainville-referendum-and-beyond>.

159 United Nations Development Programme (UNDP). 2016b. 'Bougainville Celebrates 15 Years of Peace'. Accessed 25 October 2016. Available at http://www.pg.undp.org/content/papua_new_guinea/en/home/presscenter/pressreleases/2016/09/01/bougainville-celebrates-15-years-of-peace-.html

160 Andrews, S. 2016. Ibid.; Whiting, Natalie, 2019. 'Bougainville votes overwhelmingly for independence from Papua New Guinea in landmark referendum'. Accessed 21 January 2020. Available at: <https://www.abc.net.au/news/2019-12-11/bougainville-independence-referendum-result/11787434?pfmredir=sm>; Batley, James, 2019. 'An independent Bougainville? Don't hold your breath'. Accessed 21 January 2020. Available at: <https://www.aspistrategist.org.au/an-independent-bougainville-dont-hold-your-breath/>; Walsh, Michael, 2019. 'Bougainville could become the world's newest nation – here's what you need to know'. Accessed 21 January 2020. Available at: <https://www.abc.net.au/news/2019-11-23/australia-could-get-a-new-neighbour-as-bougainville-votes/11721922>.

161 Andrews, S. 2016. Ibid.

162 Reuters. 2019. Ibid

163 The Diplomat. 2017. 'Will Bougainville Hold Its Independence Referendum?' Accessed July 18 2019. Available at <https://thediplomat.com/2017/09/will-bougainville-hold-its-independence-referendum/>.

164 World Bank. 2016b. Reducing Vulnerabilities: East Asia and Pacific Economic Update. Washington, DC: The World Bank Group, p. 137.

165 UNDP. 2016a. Ibid.

166 Bond, J. and L. Sherret. 2012. 'Mapping Gender and the Responsibility to Protect: Seeking Intersections, Finding Parallels'. *Global Responsibility to Protect*, 4(2):133-153.

167 ABC News. 2019. Ibid