

## Independent State of Papua New Guinea

**1. Overview of the human rights and democracy situation:** Police brutality, tribal conflicts, post-election violence and various election-related court cases, violence against women and children, and corruption across all levels of government all contribute to a low level of basic human rights enforcement in the country. In spite of genuine efforts on policy development in the last few years the country's concrete progress is held back by weak institutional capacities (including lack of coordination among different entities in the administration) and poor policy implementation.

**2. EU action - key focus areas:** The EU's main focus has been on gender-based violence (GBV), abolition of death penalty, establishment of an Independent Human Rights Commission and preparations for the Bougainville Referendum.

The EU continued to support the efforts of partners to address the issues of violence against women including sorcery-related violence, police brutality and intimate partner violence. The EU actively contributed to the 2018 "16 Days of Activism Against Gender-Based Violence Campaign" through the current NSA II programme and through active participation in the Human Rights quarterly forums and gender forums.

Through political engagement, including in meetings with the PM and the Minister of Justice, the EU conveyed key messages on the death penalty including advocating for moving from a *de facto* moratorium to abolition. The EU furthermore supported an initiative of the seven mainstream churches in PNG by hosting a formal dialogue on the death penalty between the churches, UN and the EU at the EU Delegation in November 2018. A position paper representing the views of the church is expected to be presented to the Government in the course of 2019.

Throughout the year the EU has consistently been raising in various forums and bilateral meetings the issue of establishment of an Independent Human Rights Commission which is long overdue (1996 government commitment). The EU met several times with the Justice Minister and raised the issue on each occasion. Although in 2018 concrete steps were taken towards the finalisation of the legislative framework for the establishment of an independent Human Rights Commission, concerns emerged towards the end of the year that it might be difficult to secure funding at this time, given budgetary constraints. Therefore, in order to address the concerns raised by the EU the Justice Department has started exploring ways to enhance the efficiency of already existing structures, notably the Human Rights Secretariat.

The EU conducted a second joint EU and Member States visit to Bougainville in June (the first had taken place in January 2017) at the time of a Joint Supervisory Board meeting taking place under the Peace Agreement. This helped prepare the ground for EU action in support of a robust and technically sound referendum in Bougainville on independence. At the time of writing this referendum was expected to take place on 15 June 2019, but there were also indications that it could be deferred to later in the year, as preparatory work was lagging behind.

**3. EU bilateral political engagement:** In October 2017 the then newly appointed Justice Minister accepted an invitation by the EU to speak at the official opening of the annual Human Rights Film Festival, a joint UN-EU initiative. In 2018, the Minister offered to become the official patron of the Festival. On 8 October, the World Day against the Death Penalty, the EU Delegation in Port Moresby organised, for the first time ever, a very well-attended media briefing (presence of print and online media, TV and radio) in which the EU Ambassador and his French colleague explained the EU's position and that of France regarding the Death Penalty.

As a direct result of raising the issue of the long overdue establishment of the Human Rights Commission in a meeting with the Justice Minister in early December 2018, work got underway within days thereafter to look into the possibility of enhancing the efficiency of already existing structures, notably the Human Rights Secretariat by moving it from the Ministry of Community Development to the Department of Justice and Attorney-General. In an unusual personal appearance at the last Human Rights Forum of the year the Justice Minister explained the above to Development Partners, vowing swift progress with the Human Rights Secretariat and ultimately having the Human Rights Commission fully established by the end of the current government term, i.e. by 2021.

**4. EU financial engagement:** During 2018, most of the EU projects funded under the European Instrument for Democracy and Human Rights (EIDHR) were closed. In the "*Hope Project*", more than 800 human right defenders (HRDs) went through specific capacity building programmes. They are now working within their communities and villages advocating for the need to respect human rights. Under the '*Addressing Trafficking in Persons*' Project' more than 400 judicial officers, forestry and fisheries sector officers and border and customs officers were trained on anti-trafficking laws and application procedures. The '*Stronger Justice, Stronger Community*' is the only project currently still being implemented. Under this project, a total of 400 frontline workers (judicial staff, police personnel and community volunteers) are trained on the implementation procedures of the new 'Lukautim Pikinini Act- Child Protection Act'.

**5. Multilateral context:** Following PNG's second Universal Periodic Review (UPR) Report to the UN Human Rights Council in May 2016 the UN Working Group made 161 recommendations of which only 101 recommendations were accepted by the government. In order to implement the 101 recommendations, PNG has established a multi-sectoral agency working committee which is to oversee and coordinate sectoral implementation. However, there has been slow progress in the implementation of the recommendations. The submission of the initial report on the implementation of the Convention on the Right of Persons with Disabilities (CRPD) has been three years overdue (originally due in by October 2015). The government had not undertaken any concrete action on the implementation on this Convention. PNG had also failed to deliver its fourth periodic report on the implementation of the UN Convention on the Elimination of All Forms of Discrimination against Women (UNCEDAW) which was due by 2015, and there was no progress on the fifth periodic cycle of reporting due in July 2018. It was hoped that a revamped Human Rights Secretariat would help achieving progress in these areas.