



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

PALAIS DES NATIONS • 1211 GENEVA 10, SWITZERLAND

www.ohchr.org • TEL: +41 22 917 9000 • FAX: +41 22 917 9008 • E-MAIL: registry@ohchr.org

1 July 2022

Excellency,

I have been following the third cycle of the Universal Periodic Review (UPR) of the Independent State of Papua New Guinea and welcome the constructive engagement of the Government of Papua New Guinea during the 39<sup>th</sup> session of the UPR Working Group in November 2021.

As the final outcome report on the review of Papua New Guinea was recently adopted by the Human Rights Council at its 49<sup>th</sup> session, I would like to take this opportunity to follow up on a number of areas raised in the two reports that my Office had prepared for the review of Papua New Guinea – the Compilation of United Nations information and the Summary of Stakeholders' submissions – which I consider in need of particular attention over the next four and a half years, until the next cycle of the UPR. In identifying those areas, I have considered the statements and recommendations made by 60 delegations and the presentation made and responses provided by the delegation of Papua New Guinea. I have also considered the actions taken by the Government of Papua New Guinea to implement the 108 recommendations supported during the second cycle of the UPR. The aforementioned areas cover a range of issues, which appear in the annex to this letter.

I welcome the actions to repeal the death penalty legislation in January 2022, a significant step bringing Papua New Guinea in line with the majority of UN member states on the issue. In addition, Papua New Guinea is to be commended for recently taking legislative steps to strengthen criminal penalties for involvement in sorcery accusation-related violence. I would like to encourage you to make more efforts in strengthening law enforcement and justice institutions and ensuring investigation of cases and prosecution of offenders.

I remain concerned about the rights of women, girls, and LGBTI persons in light of persistent gender inequality and continued criminalisation of same-sex relations, despite notable efforts by the Government to support the enhancement of women's rights and address gender-based violence such as the establishment of a Special Parliamentary Committee on the issue. In addition, the right to political participation by all in an environment free of violence or coercion, in connection with the upcoming national elections, must be paramount.

./..

H. E. Mr. Soroi EOE  
Minister for Foreign Affairs and International Trade  
Independent State of Papua New Guinea



I encourage Papua New Guinea to develop a comprehensive national human rights action plan in order to achieve concrete results in the areas highlighted in the annex to this letter and to facilitate preparations for the fourth cycle of the UPR. My advice to all Member States is to develop and implement national action plans in close consultation and cooperation with all stakeholders, in particular all civil society organizations and, where necessary, with the support of international organizations, including my Office and other United Nations entities, under the leadership of the United Nations Resident Coordinator.

I also encourage Papua New Guinea to establish a national mechanism for comprehensive reporting and follow-up to recommendations received from all international and regional human rights mechanisms and to treaty obligations, linking them to the Sustainable Development Goals. To this end, I strongly recommend the use of the OHCHR practical guide on this topic, which is available at:

[http://www.ohchr.org/Documents/Publications/HR\\_PUB\\_16\\_1\\_NMRF\\_PracticalGuide.pdf](http://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf)

Please note that I am sharing my advice with all Member States as they go through the third cycle of the UPR with a view to assisting States with the implementation of the recommendations, following the review. One important measure that can positively contribute to follow-up action is voluntary mid-term reporting. Therefore, I strongly encourage all Member States to submit a voluntary mid-term report two years after the adoption of the UPR outcome report. In this regard, I encourage the Government of Papua New Guinea to consider submitting a mid-term report on follow-up to the third cycle of the review by 2024.

As stated by the Secretary-General in his 2017 report on the work of the Organization (A/72/1, paragraph 98): *"The Human Rights Council's universal periodic review process is now entering a new cycle, with every Member State scheduled for a third round of scrutiny. We will work to strengthen the relevance, precision and impact of the Council's recommendations, including by providing better support to Member States in implementation, stronger collaboration with United Nations country teams and the establishment of national mechanisms for human rights reporting and follow-up to link the universal periodic review to the implementation of the Sustainable Development Goals."*

I look forward to discussing with you ways in which my Office may assist Papua New Guinea in relation to the areas identified in this letter and its annex.

Please accept, Excellency, the assurances of my highest consideration.

Michelle Bachelet

High Commissioner for Human Rights

cc.: H.E. Mr. Elias WOHENGU  
Secretary of the Department of Foreign Affairs and International Trade  
Independent State of Papua New Guinea

Mr. Dirk WAGENER  
United Nations Resident Coordinator a.i.  
Independent State of Papua New Guinea

Ms. Ilona STANLEY  
Human Rights Adviser of the United Nations High Commissioner for Human Rights in  
the Office of the United Nations Resident Coordinator  
Independent State of Papua New Guinea



## **Annex**

### **Scope of international obligations and cooperation with international human rights mechanisms and bodies**

- Ratifying the core international human rights treaties, beginning with the International Covenant on Economic, Social and Cultural Rights and the other core human rights instruments.
- Delivering the overdue reports to the Human Rights Committee, including those under the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the Convention on the Rights of Persons from Disabilities.

### **National human rights framework**

- Establishing a national human rights institution in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights, the Paris Principles.

### **Implementation of international human rights obligations, taking into account applicable international humanitarian law**

#### **A. Cross-cutting issues**

##### *Equality and non-discrimination*

- Strengthening measures to promote equality between men and women.
- Eliminating all forms of discrimination in law and in practice, promoting the full and equal participation of women in society and enhancing their greater participation in politics and decision-making.
- Taking concrete measures to tackle stigma and discrimination against persons affected by leprosy and members of their families to ensure that they have timely and adequate access to health services and that they can enjoy their rights to education and to work without discrimination, in line with the Convention on the Rights of Persons with Disabilities.

##### *Development, the environment, and business and human rights*

- Taking additional measures to guarantee the conformity of environmental projects with the rights of the local people concerned.
- Guaranteeing the participation of civil society and its equality of treatment in the development of climate and environmental policies.
- Ensuring the meaningful participation of women, children, persons with disabilities and local communities in the development and implementation of climate change and disaster risk reduction frameworks.
- Developing a national action plan in line with the Guiding Principles on Business and Human Rights, with the aim of promoting respect for human rights in the context of business activities.



- Building capacity, providing resources and safeguarding the autonomy of the Independent Commission against Corruption to decisively curb corruption.

## **B. Civil and political rights**

### *Administration of justice, including impunity, and the rule of law*

- Investigating reports of mistreatment by the police, including torture, the excessive use of force, arbitrary or unlawful detention and killings, and sexual violence, and prosecuting perpetrators
- Raising the age of criminal responsibility.
- Stepping up efforts to boost the effectiveness of the criminal and judicial system.

### *Fundamental freedoms*

- Introducing legislation on access to information that is in line with international standards.
- Reviewing current legislation on access to information, with the aim of strengthening, both online and offline, the rights to privacy, to freedom of expression and to peaceful assembly and association.

## **C. Economic, social and cultural rights**

### *Right to an adequate standard of living*

- Strengthening policies in the field of economic, social and cultural rights to continue improving the quality of life of its people, in particular those in the most vulnerable sectors of the population.

### *Right to health*

- Taking necessary steps to ensure that hospitals and rural medical services are properly funded and accessible to all.

### *Right to education*

- Adopting a coherent strategy to ensure universal access to education and to provide formal education to both girls and boys as one of the means of poverty alleviation.
- Developing a national strategy on out-of-school children, particularly in remote and rural communities, to ensure access to education.

## **D. Rights of specific persons or groups**

### *Women*

- Taking concrete steps to protect the human rights of women, including by punishing sexual and gender-based violence and domestic violence.
- Developing a strategy to combat all forms of violence against women, including through the provision of training and capacity-building for court personnel and protection mechanisms.



- Investigating acts of gender-based violence, including domestic violence and sexual violence, and prosecuting the perpetrators.
- Preventing and combating violence and abuse against women and girls, including sorcery-related violence, by creating safe spaces for victims of violence.
- Ensuring that women and girls have adequate access to sexual and reproductive health-care services.

#### *Children*

- Adopting measures to promote the full enjoyment of the rights of children, especially the right to education.
- Preventing child, early and forced marriage and raising the minimum age of criminal responsibility.
- Strengthening efforts to combat child abuse and exploitation, including by raising the level of birth registration, to facilitate the full implementation of the Child Protection Act.
- Strengthening measures to end child marriage.