

Responses to Recommendations

PAPUA NEW GUINEA

Review in the Working Group: 11 May 2011
 Adoption in the Plenary: 23 September 2011

Papua New Guinea’s responses to recommendations (as of 05.01.2012):

In the Report of the Working Group:	In the Addendum:	During the plenary:	Summary:
75 REC accepted; 2 rejected; 69 pending	Out of the 69 pending, 40 accepted and 29 rejected	The delegation was not present but sent a text read out by the HRC President. In this statement, the delegation said accepting 39 out of the 69 pending and rejecting 30 but the figures in the addendum are different so we followed the addendum	Accepted: 115 Rejected: 31 No clear position: 0 Pending: 0

List of recommendations contained in Section II of the Report of the Working Group A/HRC/18/18:

A - 78.1. Consider becoming party to important international legal instruments to which it is not yet a party (Indonesia);

A - 78.2. Consider the possibility of signing and ratifying the main universal human rights instruments to which it is not yet a party (Haiti);

A - 78.3. Accede to the Optional Protocol to CEDAW (OP-CEDAW) and fully incorporate CEDAW into domestic legislation without delay (United Kingdom);

A - 78.4. Study the possibility of ratifying CAT, OP-CEDAW and the International Convention for the Protection of All Persons from Enforced Disappearance (CED) (Argentina);

A - 78.5. Consider ratifying CAT (Poland);

A - 78.6. Consider ratifying CRPD, believing that the ratification should follow recent measures such as the launch of the 2009 National Policy on Disability and the establishment of the National Advisory Committee on Disability (Republic of Korea);

A - 78.7. Proceed to ratify CRPD (Australia);

A - 78.8. Ratify CRPD (Slovenia);

A - 78.9. Ratify CRPD and incorporate a disability perspective into its Vision 2050 and other development plans and programmes (Maldives);

A - 78.10. Withdraw the reservations issued to seven articles to the Convention relating to the Status of Refugees 1951 (Hungary);

A - 78.11. Continue working towards the harmonization of its national legislation with those rights contained in international human rights treaties to which Papua New Guinea is a State party (Nicaragua);

A - 78.12. Pursue efforts with regional and international communities in seeking financial and technical assistance to domesticate ratified international treaties (Samoa);

A - 78.13. Incorporate the provisions of CEDAW, ratified in 1995, into the domestic legal system (Poland);

A - 78.14. Harmonize national legislation and carry out the necessary efforts in order to implement CEDAW (Mexico);

A - 78.15. Take appropriate measures to fully implement CEDAW (Hungary);

A - 78.16. Develop further and implement policies and legislation aimed at gender equality and the empowerment of women, including combating all forms of gender-related violence (Brazil);

A - 78.17. Consider reinforcing the legal framework for the prevention of violence against women (Argentina);

A - 78.18. Take steps to implement a comprehensive legal framework addressing all forms of violence against women and children (Canada);

A - 78.19. Introduce and implement a comprehensive legal framework to protect women and girls against all forms of gender-based violence and, in particular, introduce legislation that prohibits domestic violence (Norway);

A - 78.20. Make every effort to eliminate domestic violence, with special attention to enacting and implementing a comprehensive legal framework addressing all forms of violence against women, sharing the international communities' concerns on the lack of laws specifically prohibiting violence against women and girls within the family (Republic of Korea);

A - 78.21. Accelerate its review of the law on sorcery and sorcery-related killings and strengthen the enforcement of relevant legislation (Czech Republic);

A - 78.22. Review the law on sorcery and sorcery-related killings and investigate, prosecute and punish perpetrators of such crimes (Poland);

A - 78.23. Pursue efforts with regional and international communities in seeking financial and technical assistance to establish a national human rights institution (Samoa);

A - 78.24. Undertake all measures to ensure the establishment of the national human rights commission with the support of the international community (Thailand);

A - 78.25. Take the necessary steps towards the establishment of a national human rights institution, in accordance with the Paris Principles (Canada);

- A - 78.26. Continue the process for the establishment of a national human rights institution in conformity with the Paris Principles (Morocco);
- A - 78.27. Continue efforts to consolidate a national human rights institution in accordance with the Paris Principles (Costa Rica);
- A - 78.28. Complete the establishment of the national human rights institution (Maldives);
- A - 78.29. Establish a national human rights institution in accordance with the Paris Principles (Poland);
- A - 78.30. Establish a national human rights institution in accordance with the Paris Principles (Argentina);
- A - 78.31. Establish a National Human Rights Institution in line with the Paris Principles (Norway);
- A - 78.32. Ensure the establishment of an independent national human rights commission, in line with the Paris Principles, by 2012, as stated in the national report (South Africa);
- A - 78.33. Create, as soon as possible, a national institution for the protection of human rights in conformity with the Paris Principles (France);
- A - 78.34. Without delay, meet its stated intent of establishing an independent national human rights institution in accordance with the Paris Principles (New Zealand);
- A - 78.35. Undertake a national awareness campaign about the lasting negative effects of gender-based violence (United States);
- A - 78.36. Support efforts to create safe places for women who have been victims of gender-based violence (New Zealand);
- A - 78.37. Take necessary measures to implement the National Disability Policy (Japan);
- A - 78.38. Promote the creation of a database regarding persons with disabilities, with the objective of guiding relevant policies to make their rights effective (Mexico);
- A - 78.39. Improve its cooperation with the United Nations treaty bodies by reporting on the implementation of its obligations under the Conventions it has ratified; namely, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights (ICCPR), the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), CEDAW and the Convention on the Rights of the Child (CRC) (Norway);
- A - 78.40. Consider requesting technical cooperation and assistance for the preparation and submission of reports to the United Nations treaty bodies (Chile);
- A - 78.41. Pursue efforts with regional and international communities in seeking financial and technical assistance to report on and implement ratified treaties, and for UPR follow-up (Samoa);
- A - 78.42. Extend a standing invitation to special procedures mandate holders as a way of informing and supporting human rights reforms (Maldives);
- A - 78.43. Extend an open and standing invitation to all special procedures, welcoming with satisfaction the official invitation to the Special Rapporteur on the question of torture in 2010 (Spain);
- A - 78.44. Issue an invitation to the Special Rapporteur on violence against women, its causes and consequences (Slovenia);
- A - 78.45. Extend an invitation to the Special Rapporteur on violence against women to visit Papua New Guinea (Norway);
- A - 78.46. Invite the Special Rapporteur on violence against women to visit the country (Canada);

- A - 78.47. Take further steps to promote the rights of women and end all forms of discrimination experienced by the female population of Papua New Guinea (South Africa);
- A - 78.48. Adopt a national gender policy and an action plan aimed to ensure equality between men and women within the framework of domestic law (Switzerland);
- A - 78.49. Take measures to ensure greater representation in Parliament for women (New Zealand);
- A - 78.50. Take effective measures to prevent alleged abuse and violence by police officers, encouraging the Government to respond appropriately to the Special Rapporteur on the question of torture's concerns and recommendations on this matter (Republic of Korea);
- A - 78.51. Continue to take a comprehensive approach through its law and justice, civil society and health programmes to address the high incidence of violence against women (Australia);
- A - 78.52. Undertake more effective measures to address the problems of impunity and violence against women and girls, including by strengthening law enforcement and the judicial system (Malaysia);
- A - 78.53. Consider prohibiting by law corporal punishment within the family and other institutions (Chile);
- A - 78.54. Modify its legislation to ensure that the provisions prohibit and penalize the sale and trafficking of girls and boys under the age of 18 for sexual and labour exploitation (Hungary);
- A - 78.55. Increase efforts to prosecute offenders of human trafficking, identify and protect trafficking victims, and make efforts to prevent trafficking crimes (United States);
- A - 78.56. Enhance human rights training for police forces and ensure their accountability for respecting human rights (Slovenia);
- A - 78.57. Ensure comprehensive human rights training for its law enforcement personnel with a view to prevent any excessive use of force and to investigate, prosecute and punish the perpetrators of such human rights violations, in accordance with international standards (Slovakia);
- A - 78.58. With the continued support of the international community, reinforce the capacity of law enforcement authorities through awareness-raising of police and other law enforcement officials to ensure their compliance with international human rights standards and by adopting relevant legislation (Japan);
- A - 78.59. Conduct relevant human rights training for senior police (New Zealand);
- A - 78.60. Look to replicate successful programmes that aim to keep adolescents out of the prison system wherever possible (Australia);
- A - 78.61. Enhance the transparency of its public decision-making and the use of public resources for public purposes (United States);
- A - 78.62. Take necessary measures to ensure that all children are registered at birth (Czech Republic);
- A - 78.63. Ensure that all children are registered at birth and make every effort to register all persons not previously registered (Slovakia);
- A - 78.64. Increase efforts to ensure the registration of all children at birth (Brazil);
- A - 78.65. Continue its committed efforts in economic and social development and improving people's living standard so as to protect effectively the rights of its people (China);
- A - 78.66. Continue implementing strategies and plans for the socio-economic development of the country (Cuba);

A - 78.67. Continue implementing programmes and measures aimed at ensuring universal and quality health and education services for all its population (Cuba);

A - 78.68. Prioritize efforts to achieve the maternal health and basic education Millennium Development Goals (Australia);

A - 78.69. Redouble efforts to reduce maternal mortality, including through the recent maternal health ministerial taskforce and the emergency response action plan (New Zealand);

A - 78.70. With international assistance, intensify efforts against the spread of HIV/AIDS in the country, with increased attention to prevention and care for affected children (Algeria);

A - 78.71. Continue its leading international efforts to tackle global warming, including by reminding developed countries and other major emitting States of their obligation to help promote and protect human rights by reducing greenhouse gas emissions to safe levels (Maldives);

A - 78.72. Continue taking measures that favour the increase of enrolment rates in all its territory (Chile);

A - 78.73. Take appropriate measures, in accordance with its international obligations, aimed at ensuring universal education, including free and compulsory primary education (Malaysia);

A - 78.74. Pursue efforts with regional and international communities in seeking financial and technical assistance to advance human rights in Papua New Guinea (Samoa);

A - 78.75. Engage civil society in the UPR follow-up process (Poland).

79. The following recommendations will be examined by Papua New Guinea, which will provide responses in due time, but no later than the eighteenth session of the Human Rights Council in September 2011:

A - 79.1. Take steps to ratify all human rights instruments (Norway);

R - 79.2. Ratify as soon as possible important international human rights instruments to which it is not yet a party, inter alia, CAT, CRPD and CED, and issue a standing invitation to special procedures (Japan);

A - 79.3. Consider ratifying CAT and its Optional Protocol, and CRPD (Brazil);

A - 79.4. Ratify CAT (Slovenia);

A - 79.5. Consider acceding to the main international human rights instruments to which it is not party, particularly CAT and its Optional Protocol (Costa Rica);

A - 79.6. Ratify CAT, as well as its Optional Protocol (Switzerland);

A - 79.7. Ratify CAT and accede to its Optional Protocol (United Kingdom);

R - 79.8. Ratify CAT and the Optional Protocol thereto and bring the definition of torture in line with the international standards in order to criminalize such treatment (Czech Republic);

R - 79.9. Ratify CAT and its Optional Protocol, and consider designating the national human rights institution, when established, as the country's national preventive mechanism (Maldives);

A - 79.10. Become party to CAT and its Optional Protocol (New Zealand);

A - 79.11. Sign and ratify CAT, CED and CRPD (Spain);

A - 79.12. Accede, as a priority, to CED, to CRPD and to the two Optional Protocols to CRC (Algeria);

A - 79.13. Ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crimes (United States);

A - 79.14. Ratify the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness (Slovakia);

R - 79.15. Consider ratifying International Labour Organization Convention No. 169 (1989) concerning Indigenous and Tribal Peoples in Independent Countries and take operational steps to implement the United Nations Declaration on the Rights of Indigenous Peoples (Norway);

A - 79.16. Ensure without delay the full incorporation of CEDAW provisions into domestic law, and take further steps to prevent all forms of gender-based violence (Slovenia);

R - 79.17. Put in place legislation ensuring the equality of men and women and prohibiting discrimination against women (Canada);

R - 79.18. Eliminate any legislation that has discriminatory effects against women in family and public life, in line with CEDAW, by, inter alia, including "gender" as a prohibited ground of discrimination in its Constitution (Norway);

R - 79.19. Review its national legislation so as to repeal all laws giving rise to discrimination against women and girls, with the aim of bringing the domestic system into line with the commitments made at the international level (Switzerland);

A - 79.20. Amend its legislation to include the principle of equality between men and women; Parliament should adopt the equality and participation bill in order to enhance gender equality in the political sphere (Norway);

R - 79.21. Develop a legislative reform package to eliminate gender-based violence (Germany);

A - 79.22. Enact and implement a comprehensive legal framework addressing all forms of violence against women (Poland);

A - 79.23. Adopt an adequate legal framework to combat all forms of violence against women and put in place an effective complaint system in order to bring the perpetrators of these acts before justice (France);

A - 79.24. Adopt legislative measures to eliminate gender violence and ensure that all women and girls who were victims of gender violence have access, among others, to health, legal and emergency services as recommended by the Committee on the Elimination of Discrimination against Women (Spain);

R - 79.25. Withdraw support from the proposed amendment that would curtail the power of the Ombudsman Commission, especially its ability to investigate independently human rights violations (United Kingdom);

A - 79.26. Consider including the component of human rights education and training in its national education programme and in the training programmes for the police and those who administrate justice (Costa Rica);

A - 79.27. Develop proactive strategies for economic development and social cultural transformation, with priority given to addressing the problems of discrimination against women, gender-based violence, the HIV/AIDS epidemic, child labour, corporal punishment of children, and sorcery-related killings (Thailand);

R - 79.28. Strengthen its cooperation with treaty bodies and give the greatest possible attention to the recommendations of the Committee on the Rights of the Child and the Committee on the Elimination of Discrimination against Women and the various United Nations joint reports (Haiti);

A - 79.29. Implement the recommendations of the Special Rapporteur on the question of torture in order to address the violations to fundamental rights highlighted by him during his visit, notably, the

generalized ill-treatment of detainees, the total absence of rights of incarcerated persons, the degrading conditions of detention and the absence of a control mechanism, leading to excessive periods of preventative detention (France);

R - 79.30. Increase involvement in matters of State by women and ethnic minorities (United States);

R - 79.31. Abolish the death penalty in its legislation, while taking note of the absence of executions in the country since 1954 (Spain);

R - 79.32. Abolish the death penalty and adopt laws favouring the protection of women, and combat domestic violence (Holy See);

R - 79.33. Fully abolish the death penalty (Czech Republic);

R - 79.34. Take steps to abolish the death penalty entirely, including the ratification of the Second Optional Protocol to ICCPR (Slovakia);

R - 79.35. Invest adequate financial and manpower resources to improve its prison conditions, to the level required by its human rights obligations (United States);

R - 79.36. Take effective measures to ensure that the condition of persons in detention are in conformity with relevant international standards (Canada);

A - 79.37. Prohibit corporal punishment of children in all settings and ensure protection against child labour and child prostitution (Slovenia);

R - 79.38. Implement effective criminal justice mechanisms to combat impunity (United States);

R - 79.39. Implement strict judicial measures to fight impunity, including the investigation and prosecution of racial hatred and related violence through criminal legal proceedings and other measures (Canada);

A - 79.40. Take stronger measures to professionalize the police force by demanding accountability and retraining key personnel, including seeking the assistance of international law enforcement experts (United States);

A - 79.41. Carry out effective and independent investigations of allegations of excessive use of force by the security forces to bring perpetrators of these acts to justice and ensure that victims benefit from full reparations (Switzerland);

R - 79.42. Investigate all cases of torture and bring perpetrators to justice (Czech Republic);

R - 79.43. Ensure that all complaints of violence, including sexual violence against detainees perpetrated or facilitated by police, are fully investigated and that suspected perpetrators are brought to justice, in line with concerns raised by the Special Rapporteur on the question of torture (Germany);

R - 79.44. Provide comprehensive human rights training for law enforcement officers, including on issues related to forced eviction and violence against detainees and to racial discrimination and xenophobia (Canada);

A - 79.45. Take immediate measures to investigate cases of brutal torture and killings of girls and women, especially elderly women, accused of witchcraft, and to prosecute and punish perpetrators (Czech Republic);

A - 79.46. Vigorously investigate all reports of sorcery-related killings to ensure that the perpetrators are brought to justice, and develop and implement strategies, including for social and cultural change, to prevent further killings (United Kingdom);

A - 79.47. Circulate and implement the recently adopted United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules), and seek necessary support from the United Nations Office on Drugs and Crime and OHCHR (Thailand);

A - 79.48. Ensure that all complaints on gender-based violence, regardless of perpetrators, be investigated and brought to justice (Maldives);

A - 79.49. Undertake effective measures to ensure the accessibility of legal and judicial services to persons in rural and remote areas (Malaysia);

A - 79.50. Implement programmes to increase the human rights awareness of village and community leaders, and develop measures to ensure that decisions made by village courts are in line with international standards, particularly the principle of non-discrimination, and, at the same time, take measures to promote among its citizens greater awareness of their rights and access to the formal judicial system (Thailand);

A - 79.51. Provide adequate judicial review and compensation for cases of government projects that have negative environmental impact on the land and resources of traditional landowners to ensure that their rights to property and right to environment are duly respected. Engagement with local communities in the decision-making process of any government project should also be promoted (Thailand);

R - 79.52. Decriminalize sexual relations between consenting adults of the same sex (Slovenia);

R - 79.53. Decriminalize sexual relations between consenting adults of the same sex (France);

R - 79.54. Amend national legislation to include "sexual orientation" and "gender" as prohibited grounds for discrimination (United Kingdom);

A - 79.55. Take concrete and practical measures to protect human rights defenders who, according to a United Nations joint report, have been threatened, attacked and in some cases murdered (Haiti);

R - 79.56. Review its laws relating to abortion and, more specifically, remove punitive provisions imposed on women who undergo abortion and provide them with access to quality services for the management of complications arising from unsafe abortion (Czech Republic);

A - 79.57. Step up efforts to improve and conserve the environment, including by strengthening the relevant laws and providing the public with the necessary information, education and awareness regarding the impacts of climate change and environmental pollution and degradation (Malaysia);

A - 79.58. Increase its scrutiny over extractive and logging industries and associated companies and businesses, with a view to reducing its negative impact on the environment and, consequently, its negative effects on the full enjoyment of human rights (Maldives);

A - 79.59. Review its legal measures and, if necessary, request the necessary technical assistance so as to ensure that boys and girls of all regions of the country have access to free and compulsory primary education (Mexico);

R - 79.60. Ensure that education is accessible to all children, including by providing the educational system with necessary resources (Slovakia);

A - 79.61. Consider the possibility of ensuring free and compulsory education, at least at the primary level (Algeria);

A - 79.62. Guarantee universal basic education, in accordance with the international human rights treaties it has ratified, and ensure that primary education is compulsory and free for all (Indonesia);

A - 79.63. Ensure compulsory, free and accessible primary education for all. Enhance also the availability and accessibility of secondary and higher education and close the gender gap at all levels of education (Slovenia);

A - 79.64. Ensure that primary education is free and compulsory and prioritize the accessibility of secondary education, making it progressively free in accordance with the new Universal Plan on Basic Education (Spain);

A - 79.65. Adopt further measures to ensure universal primary education, free of charge (Brazil);

A - 79.66. Continue working towards the elimination of the user-pay policy for education with the aim of providing free primary education, as per Millennium Development Goal 2 (South Africa);

A - 79.67. Work closely with its citizens, especially the indigenous population, in order to promote environmental protection (Norway);

R - 79.68. Stop the increasing deforestation and indiscriminate exploitation of minerals since, on one hand, this limits the right of indigenous peoples to live in their traditional agricultural lands and, on the other hand, it contributes enormously to the ecosystem's imbalance and accelerates climate change with the negative consequences it brings (Holy See);

R - 79.69. Review the 2010 amendment to the Environment Act in order to ensure consistency with the objectives of the United Nations Declaration on the Rights of Indigenous Peoples (Norway).

80. The recommendations below did not enjoy the support of Papua New Guinea:

R - 80.1. Continue to suspend capital punishment by putting in place, as a first step, a de jure moratorium against executions and eventually abolishing the death penalty (Switzerland);

R - 80.2. Confirm the de facto moratorium on the death penalty by definitively and de jure abolishing the death penalty in all circumstances (France).

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