



RESEARCH ON THE MEASURES ADOPTED BY THE PAPUA NEW GUINEAN GOVERNMENT IN SUPPORT OF WOMEN'S RIGHTS

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Abstract

In November 2021, Papua New Guinea will participate in the third Universal Periodic Review cycle conducted by the United Nations Human Rights Council. In light of this, the aim of this paper is to analyze the effectiveness of measures adopted by the PNG government during the second UPR, with a focus on women's rights. Indeed, Papua New Guinea is considered one of the most dangerous places for women in the world and the need to achieve gender inequality is imminent. This paper begins with an overview of current gender issues in PNG related to Gender Based Violence (GBV), politics, economics, health and sorcery and the PNG government's response to these issues. Next, original interviews and surveys obtained from local PNG NGOs and CSOs are used to understand the problems and challenges encountered when implementing women's human rights in PNG within the aforementioned government measures. Recommendations and next steps are then provided with an emphasis on providing better funding for already established measures before committing to additional measures.

Key words

PNG government, Universal Periodic Review, Gender Based Violence, Women's rights, Non-governmental organization (NGO) activities

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ABBREVIATIONS

ADB Asian Development Bank

CAT Convention against torture

CEDAW Convention on the Elimination of All Forms Discrimination Against Women

CLRC Constitutional and Law Reform Commission

CRC Convention on the Rights of the Child

CSO Civil Society Organization

DGBVAC District GBV Action Committee

FSVU Family and Sexual Violence Unit

GBV gender-based violence

ICCPR International Covenant on Civil and Political Rights

ICERD International Convention on the Elimination of Racial Discrimination

ICESCR International Covenant on Economic, Social, and Cultural Rights

IPPCC Integrity of Political Parties and Candidates Commission

IPO interim protection order

LLG Local Level Government

MDG Millennium Development Goals

NCD National Capital District

NGO non-government organisation

OP-CEDAW Optional Protocol - Convention on the Elimination of All Forms Discrimination Against Women

OLIPPAC Organic Law on the Integrity of Political Parties and Candidates

OLPLLG Organic Law on Provincial and Local- Level Government Elections

PO protection order

PNG Papua New Guinea

PGBVAC Provincial GBV Action Committee

RPNGC Royal Papua New Guinea Constabulary

SARV Sorcery accusation related violence

SOS Sexual Offences Squad

SNAP Sorcery National Action Plan

UPR Universal Periodic Review

VCA Village Courts Act

1. INTRODUCTION

Papua New Guinea (PNG) is considered one of the most dangerous places in the world for women (Band, 2018). However, despite recent measures and strategies adopted by the government, women's rights are still routinely violated across the country. In the "Papua New Guinea's National Review 2020", the PNG government affirmed that "PNG continues to aspire towards becoming a society that is fair to both men and women with equal opportunities accorded to them, to meaningfully contribute to the betterment of society" (Department of National Planning and Monitoring, 2020). However, gender-based violence (GBV) and gender inequality are grave impediments to the development of the country. In 2019, PNG was ranked 161 out of 162 countries based on the Gender Inequality Index (Human Development Report, 2021).

These gaps in women's rights, and particularly the high level of GBV within PNG were the main focus during the first cycle of the Universal Periodic Review in 2011. During the latter, PNG expressed its human rights grievances, exacerbated scarcity of funds, difficult economic situation and lack of cooperation between the different agencies and realities. However, it was propositive to improve the situation (Human Rights Council, *National report*, 2011). The same objectives were highlighted also during the second UPR cycle in 2016: "The Government remains committed to addressing these issues. To a large extent, gender equality and women's empowerment are dependent on freedom from violence, and an enabling environment to give all women and girls the opportunity to participate in all aspects of development" (Human Rights Council, *National report*, 2011, paras 128).

The PNG government's commitment to improve gender equality and human rights has resulted in the development and adoption of several measures to address GBV and gender inequalities. These measures touch on several aspects of PNG society and they have the aim to improve women's rights. However, the situation has seen little improvement since the implementation of such measures. This research paper will provide an overview of PNG's ratified international treaties and conventions addressing women's rights. This is done in order to demonstrate the framework of the PNG government's commitment towards gender equality within the country, and to provide a base for the analysis within this paper that seeks to discern the effectiveness of these measures to date.

This paper begins with the recommendations of the second UPR cycle, and PNG's obligations related to the international treaties and conventions it has signed. Specifically, this paper will look at the measures and strategies that PNG promised to elaborate on and implement; the results of policies adopted before or during the second cycle; as well as new measures adopted during previous years to address gender issues. This paper will then analyze whether these policies have succeeded or failed in preventing women's rights violations within the country. Moreover, part of this research will focus on the activities of international and national NGOs and CSOs that work within PNG to address these issues, the results that they have obtained, the challenges they face and their perception on the commitment of the government and on the measures that it has adopted.

1.1 Research Methodology

This paper aims to determine whether the measures enacted by PNG during the first UPR cycle were effective in reducing gender disparities within the country. In order to determine this, two research approaches were taken. The first approach was through the analysis of secondary sources reporting on the women's rights and GBV in PNG, and any legal and governmental approaches taken by PNG since the second UPR cycle with the goal of fostering gender equality. Pertinent critiques and successes are presented in this paper. Secondly, original interviews and surveys with various local NGOs, CSOs, and religious organizations were undertaken by our researchers. This allowed us to gain the perspective of local human rights workers and women's organizations on the effectiveness of these measures, while also determining what actions, if any, these organizations believe PNG should undertake during the November 2021 UPR cycle.

NGOs and CSOs were selected for this research study based on their involvement with women's rights and human rights activities in PNG. Questions to NGOs, CSOs, and religious organizations were administered through either a written survey, telephone interview format or Google Forms, depending on the resources of the various organizations. In total, three organizations: Eden Empowerment, Bougainville Women's Federation and Femili PNG participated in telephone interviews. Two organizations - Youth for Change PNG and Meri Kirap Sapotim (MIKS) (Women Awake! Support!) submitted detailed written survey answers via email. One organization, The Salvation Army of Papua New Guinea & Solomon Islands, submitted a detailed survey questionnaire via Google Forms. The findings of these surveys and interviews with the aforementioned organizations are discussed within this paper. The combination of secondary research sources and primary source interviews and surveys are useful to developing a nuanced understanding of the current women's rights situation in PNG, including; the effectiveness of commitments made by PNG to advance women rights since the previous UPR cycle, criticisms and gaps of these measures, as well as a roadmap for what can be improved and further elaborated on during the second UPR cycle.

In order to connect with the various NGOs, CSOs, and ISOs that work within the gender equity space in PNG, our team used a cold email method. Interviews were conducted in compliance with the Social Sciences and Humanities Research Council¹ of Canada's guidelines and ethics pertaining to consent and data collection. Consent before the interview was either obtained in written form via email or verbally on the phone. Participants interviewed provided consent to have their interview recorded, understood the intention and goal of the study, participated voluntarily and were informed their name and or organization would be used in this study. The same principles were also used to obtain consent to use data when collecting long form written answers and answers via Google Forms. All NGOs who agreed to participate in the study were then presented with various questions either via written survey format (Google Docs or Microsoft Word) or telephone interview. The survey questions were designed to elicit information about the organization itself, including its

¹ For more information, look at https://ethics.gc.ca/eng/tcps2-eptc2_2018_chapter3-chapitre3.html and <https://www.canada.ca/content/dam/hc-sc/documents/services/science-research/science-advice-decision-making/research-ethics-board/reports-reference/sample-consent-form-qualitative-study-en.pdf>

mission, as well as the organizations opinions of measures that PNG has taken since the first UPR cycle in support of women's rights. (Appendix 1 and 2)

1.2. PNG commitment to International Treaties and Conventions for Women's Rights

Understanding which international conventions and treaties have been signed and ratified by PNG is essential to identifying the State's obligations in terms of Human Rights, Sustainable Development Goals and how the international legal commitments influence the creation of specific laws and policies.

According to the PNG Government, several measures adopted comply with most of the treaties and conventions concerning human and women's rights at the international and regional levels. Indeed, with regards to the international commitments specifically concerning women's rights, most of the measures complies with the 1995 Beijing Platform for Action, which urges states to adopt proper measures to face GBV; with the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which has been ratified by PNG in 1995 to develop effective solutions to support women; with the 1993 United Nations Declaration on the Elimination of Violence against Women. This last international commitment is particularly important as it describes GBV as a form of violence that occurs in public and private life and can lead to psychological, sexual and physical harm.

Moreover, it should be mentioned that the PNG government has committed itself with international human rights conventions, which play a key role in women's rights protection. PNG ratified the 1989 United Nations Convention on the Rights of the Child in 1993 and the 2008 United Nations Convention on the Rights of People with Disabilities (ratified in 2013), which holds an article concerning women with disabilities. Other important instruments are the United Nations Security Council Resolution 1325, which stresses the role of women in the prevention and resolution of conflicts and which is a basis for several measures, and the 2030 Agenda for Sustainable Development, which is a call for action from all countries concerning 17 specific Sustainable Development Goals (SDG). The SDG 5 specifically focuses on gender equality.

Therefore, PNG has ratified and signed six core human rights treaties: the *Convention on the Elimination of All Forms Discrimination Against Women (CEDAW)* in 1995, the *Convention on the Rights of the Child (CRC)* in 1993, the *International Convention on the Elimination of Racial Discrimination (ICERD)* in 1982, the *International Covenant on Civil and Political Rights (ICCPR)* in 2008 and the *International Covenant on Economic, Social, and Cultural Rights (ICESCR)* in 2008 and finally the *Convention on the Rights of Persons with Disabilities* in 2013². In addition to these, PNG has also signed other relevant international conventions such as the 1948 *Convention on the Prevention and Punishment of the Crime of Genocide*, the 1949 *Geneva Conventions*, and the *First Additional Protocol*.

During the two cycles of the Universal Periodic Review (UPR), PNG received several recommendations regarding its inclusion of the CEDAW into domestic legislation, the

² Office of the United Nations High Commissioner for Human Rights, "UN Treaty Body Database – Papua New Guinea", available at link https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=134&Lang=EN

ratification of the CEDAW *Optional Protocol* (OP-CEDAW), the ratification of the *Convention Against Torture* (CAT) and the strengthening of existing policies related to combatting discrimination and violence against women (Human Rights Council, *Report of the Working Group on the Universal Periodic Review*, 2011).

No additional treaties or international conventions have been ratified in the last few years since the second UPR cycle. During the latter, PNG affirmed that it began the CAT ratification process as well as the *Protocol on Trafficking in Persons* ratification process (Human Rights Council, *National report*, 2016, paras 141 and 147). Curiously, PNG stressed that it would not ratify the OP-CEDAW, expressing that it already had enough laws, measures and policies to address these issues (Human Rights Council, *National report*, 2016, para 140). At this time, the CEDAW was not yet included in the domestic legislation, but was in the process of becoming as such (Human Rights Council, *National report*, 2016, para 126).

Besides international commitments, PNG also claims to be following regional commitments set out by the Governments of Pacific States. According to what is reported in the *National Strategy*, PNG has adopted the 2005-2015 Revised Pacific Platform for Action on the Advancement of Women and Gender Equality in 2004 along with the other Pacific Ministers, and, in August 2012, Pacific leaders committed their governments to implement specific national policies to progress gender equality, according to what the Pacific Leaders' Gender Equality Declaration prescribes.

2. MEASURES ADOPTED BY THE PNG GOVERNMENT

2.1 Gender-based Violence (GBV) and Domestic Violence

The high rates of GBV and domestic violence within the country is one of the main impediments to advancing women and girl's rights in PNG. For the purposes of this paper, GBV refers to harmful or violent acts which are directed towards an individual on the basis of their gender. Unfortunately, GBV is one of the most common forms of violence experienced by women in Papua New Guinea. In fact, over two thirds of women in Papua New Guinea are victims of GBV, with instances of GBV being notably higher in the Highland provinces (Spotlight Initiative, 2019). According to some researchers, between 60% and 70% of women in PNG have experienced physical or sexual violence during their lives (National Statistical Office- NSO/Papua New Guinea and ICF, 2019, p 291). Physical violence is more common in urban areas than in rural areas and amongst divorced, widowed or separated women (National Statistical Office- NSO/Papua New Guinea and ICF, 2019). In both physical and sexual violence cases, the perpetrators are almost always the husbands of victims (78% for physical violence and 77% for sexual violence) (National Statistical Office- NSO/Papua New Guinea and ICF, 2019, p 291). In just the month of June 2020 in the capital city of Port Moresby, there were almost 650 reported cases of domestic violence reported (Whiting & Harriman, 2020).

Domestic violence is the main epidemic in Papua New Guinea. In the 2009 report on the implementation of CEDAW in PNG, the Special Rapporteur on violence against women, highlighted that wife-bashing was the most common form of domestic violence and violence

against women in PNG (Committee on the Elimination of Discrimination against Women, 2009). The situation has not improved in the last few years, due in part to the high percentage of women and men that believe that in certain circumstances this behaviour is justified. Indeed, the Demographic and Health Survey 2016-2018, conducted by the National Statistical Office, reported that 70% of women and 72% of man indicated that wife-beating is justifiable under some circumstances, such as for child neglect (59% for women and 61% for men), or if the female partner goes out without first asking for permission from the husband (50% for women and 49% for men) (National Statistical Office- NSO/Papua New Guinea and ICF, 2019, p 264). These percentages are higher in rural communities (73% of interviewed man replied that wife-beating is justifiable), while there is an lower acceptance of wife-beating amongst individuals who completed higher education, even if the percentages remain high (59% women and 64% men) (National Statistical Office- NSO/Papua New Guinea and ICF, 2019, p 264).

Another problem concerns the denouncement of these violences. Only 35% of GBV victims in PNG have sought help; with mothers, women in urban areas, and women who are over 20 being more likely to seek help (National Statistical Office- NSO/Papua New Guinea and ICF, 2019, p 297). The main concern is that the source of help is in most of cases the family (72%), while only 10-15% of women who have experienced physical or sexual violence seek help from police (National Statistical Office- NSO/Papua New Guinea and ICF, 2019, 297).

This is not the place to analyze and explore the causes of Gender Based Violence (GBV) in Papua New Guinea, however some points must be addressed to provide a clearer framework. The occurrence of GBV in PNG can be attributed to a variety of factors, such as stringent gender norms and roles, overarching male dominance within PNG society, and even the existence of bride price practices.

There are several legal instruments that PNG has developed and implemented in recent years to address these problems. It is also important to remember that PNG has an obligation to take measures to delay any form of violence under article 2 of the CEDAW.

The backbone against GBV: the PNG National Strategy to Prevent and Respond to Gender-Based Violence (2015-2025)

The PNG National Strategy to prevent and respond to Gender-based violence (2015-2025) is the main instrument adopted by PNG to address the GBV. It was announced during the second UPR cycle in 2016 (Human Rights Council, *National Report*, 2016, 127), elaborated during the same year, and then published in 2017³.

As is said in the final elaboration, the Strategy has not been thought to create new structures or processes, but it aims to strengthen and improve the measures already taken (PNG National strategy to prevent and respond to gender-based violence (2015-2025), p 15). There are four objectives: (i) an improved institutional and governance structure to achieve 0 tolerance towards GBV by 2025; (ii) a more developed research and data collection strategy; (iii) the maintenance and improvement of responses and services for GBV survivors; (iv) the

³ PNG National strategy to prevent and respond to gender-based violence (2015-2025), available at https://static1.squarespace.com/static/5bc57ec8d7819e1e854bd21b/t/5bf7404540ec9ad433865e63/1542930521321/PNG+GBV_Strategy+2016-2025_150816_FINAL.pdf

prevention of GBV in all PNG sectors and territories (PNG National strategy to prevent and respond to gender-based violence (2015-2025), p 63).

In addition to these objectives, the Strategy also outlined various tangible goals and measures. For example, the establishment of a National GBV Secretariat, in order to aid the Office of Development for Women, in addition to the strengthening of Provincial and District GBV Action Committees. The aim of the Strategy was to create by 2020, 22 PGBVAC and 60 DGBVAC (PNG National strategy to prevent and respond to gender-based violence (2015-2025), p 65-66).

By 2019, there were only four Provincial GBV Secretariats, each within the National Capital District, Morobe, East New Britain and Milne Bay (Spotlight Initiative, 2019, p. 17). Moreover, UN Women reported that there was confusion about the roles of the Provincial Secretariat, therefore reducing their efficacy (Spotlight Initiative, 2019, p 14).

It should be noted that since 2000 in some provinces and districts, the **Family and Sexual Action Committees** have been contributing to the prevention of GBV in coordination with local communities. In 2018, these committees conducted training in Port Moresby and Lae.

In 2019, the government appointed an interim National GBV Secretariat, but as of 2020 the Secretariat was not yet functional (Spotlight Initiative, 2019, p 14). The government also promised the improvement of the GBV Framework by the Department for Community Development and Religion and GBV Operational Guidelines, yet they are still waiting on approvals from the Government (Spotlight Initiative, 2019, p 14).

Despite the Strategy, it appears that the governance and the structures have not markedly improved, and GBV continues to be a problem in the country, particularly within the COVID-19 pandemic context.

At the time of writing, the Strategy has not yet been fully implemented, and there are no clear and complete reports about the implementation of the Strategy and its progress in the last years. If they do exist, they are difficult to find, which is itself in contrast with the second objective of the strategy.

However, it should be noted that in May 2021 the PNG government launched “Primero”, the result of the collaboration between UNICEF, the Department of Community and Development, Child and Family Services and other UN agencies. It will be crucial to collect and manage data on gender based violence or violence on children and to better implement the Strategy. All this data will be used for planning, budgeting and advocacy (Wokasup, 2021).

Measures regarding police response

PNG has established different institutions and providers for which GBV victims can seek healing and retribution for crimes committed.

Specifically, the **Family and Sexual Violence Units (FSVU)**, established in 2008, deal with minor offences, provide primary support to victims of GBV, and coordinate assistance with other institutions (Department of National Planning and Monitoring, 2020, 38). Regardless of

the fact that these units were established by the Royal Papua New Guinea Constabulary, and under the Law and Justice sector of the government, they are not officially bound by this sector. This creates a lack of efficiency and efficacy for victims seeking retribution (Spotlight Initiative, 2019, p 21). However, In 2019 there were 26 of these units within PNG, with 109 police officers total.

The Royal Papua New Guinea Constabulary also established the **Sexual Offences Squad (SOS)**, which are the main actors, in conjunction with the **Criminal Investigation Department**, to deal with all sexual offences (Spotlight Initiative, 2019, p 21). There are now 4 SOSs, located in Port Moresby, Lae, Kokopo and Wewak. As many other institutions in PNG, the SOS's main obstacles is the lack of funding and resources; moreover they should be better trained on GBV and related policies (Spotlight Initiative, 2019, p 31).

An additional problem is the distribution of officers within the country. For example, Port Moresby has the highest concentration of legal officers and state prosecutors (18 and 10, respectively), while Arawa has no legal professionals (Putt & Dinnen, 2020, 6). Moreover, there is a general fear of police officers amongst the PNG public, as they are widely considered to be corrupt. In addition, there is a general lack of knowledge of the presence and work of the FSVUs. At the same time, only 50% of those who have sought aid from the FSVUs or police officers have been satisfied with the outcome (Putt & Dinnen, 2020, 8).

A report conducted by Femili PNG has shown an increase in reporting to the police situation involving family and sexual violence (Putt & Dinnen, 2020,48). The report also demonstrates the same problems that other sectors encounter: such as the lack of funding and the need for more training. Moreover, the officers themselves complain that there is not enough communication about the progress of the report in the judicial system. In short, they are not aware of how the process is going on, nor are they followed up with to provide further information (Putt & Dinnen, 2020, 49).

Measure regarding the judicial system

When GBV has occurred, victim access to justice is the most important factor to ensuring that victims are not targeted by perpetrators again. The judicial system in PNG is based on the foundation of the Village Courts system, which primarily works with customary laws and non-criminal cases. The next level comprises the District and Family Courts, which deal with most cases of GBV. The National Court and the Human Rights Court are involved in GBV cases only if they are exceptional or appealed in the last step is the Supreme Court.

Another institution is the Ombudsman Commission, which can receive complains regarding violence against women. It is fundamental to note that the National Human Rights Commission/Institution, whose establishment was announced by PNG during the first cycle of UPR, has not yet been created (Sakai, 2021).

Sexual violence is dealt with the **Criminal Code 1974**. Under the Code, PNG enacted the *Sexual Offences and Crimes against Children Act* of 2002. Through this Act, certain rules of the code were ammended, including laws regarding rape and sexual assault (Amnesty International, 2009). The Criminal Code, however, does not contain any specifications about the crime of domestic and family violence. As will be seen, only the Family Protection Act

contains this definition, while in the Criminal Code offences of sexual assault are not qualified based on the perpetrator (Putt & Dinnen, 2020, 4). After the death of Jenelyn Kennedy in Port Moresby at the hands of her partner, a social uprising started within the country to demand more measures and efforts by the government in addressing gender issues (Godfrey, 2020). After this event, David Steven, the Minister of Justice, announced that the government decided to increase the the penalty for willful murder to life imprisonment (*Harsher Penalties for Gender-Based, Sorcery-Related Violence in PNG*, 2020).

During the second URP cycle, PNG announced the elaboration of the **Family Protection Act** in 2013⁴ to achieve two aims: (i) the criminalization of domestic violence; and (ii) the possibility to obtain Interim Protection Orders and Protection Orders for victims of domestic violence (Human Rights Council, *National report*, 2016, para 120).

In 2017, the Act was regulated and all the procedures to ask for Interim Protection Orders and Protection Orders before Village Courts and District Courts were formalized⁵. From 2018 to 2019, Femili PNG conducted research about the implementation of the Family Protection Act in Lae. It found that, after the elaboration of the Act, the number of Protection Orders increased, while there was a decrease of time to obtain an IPO (Putt et al., 2019). Most of the applicants were young women and in the majority of cases, the order respondents were husbands or ex-husbands. Moreover, the main problems concerned the lack of full understanding of the measures by victims, including the length of the measures and the complexity of the procedures that could vanish the IPO (Putt et al., 2019).

The Family Protection Act gives the duty to the Village Courts to issue IPOs or POs for victims of domestic violence. During the second UPR cycle, PNG highlighted that with the elaboration of the **Village Courts Act in 2014**, a new goal was established to “improve access for women to Village Courts and to eliminate discrimination against women in Village Court proceedings” (Village Courts Act (amended), 2014), in line also with the obligation derived from the CEDAW. However, it emerged that there is often a lack of knowledge or understanding of the application of the Village Courts act or the Family Protection Act. Indeed, many proceedings are dealt with through customary laws that are not providing the adequate justice to victims of GBV (Spotlight Initiative, 2019, p 22). Based on the Act, the Village Courts cannot, however, mediate violence that is disciplined by the criminal code, such as rape or murder, but they can still play a fundamental role within villages in addressing these issues and to improve the awareness and education on GBV (Village Courts Act (amended), 2014).

The Spotlight Initiative also stressed the absence of adequate counselling services, with only a few experts capable of providing professional services to women and GBV victims. In March 2021, the National Capital District Commission indicated that a new **Legal desk** would be created in Port Moresby to provide legal support to GBV survivors. The new legal desk will be overseen by pro-bono lawyers and legal students (*NCDC Announces Legal Desk to Help Violence Survivors*, 2021). The aim is to create more desks in other provinces.

⁴ Family Protection Act, 2013, at link <https://docs.google.com/document/d/1wyKkg5O9Ua65RZdIXZh5MKYiqWUIBISUCiDBJ87R9LQ/edit>

⁵ Family Protection Act, 2017, link http://www.femilipng.org/wp-content/uploads/2018/10/TAB-2_Family-Protection-Regulation-2017.pdf

This would be crucial considering the complexity of the procedures: GBV survivors often endure intensive and difficult paths when they seek retribution, and often because of this complexity, decide to cancel the case while proceedings are ongoing (Spotlight Initiative, 2019, p 22). There are some organizations and associations that try to help these individuals, but the commitment of the government should also increase in this regard.

Support Measures for GBV Survivors

Beside judicial aid, physical and mental support for GBV survivors is fundamental. In recent years, PNG has established various **Family Support Centres**, also known as "Women and Children's Support Centres" (Butcher K, Kaybryn J, Lepani K, Vagikapi M, Walizopa L, 2016) throughout the country. The first one was established in Lae in 2003, and by 2019, 17 Family Support Centres were opened in the 22 Provinces (Spotlight Initiative, 2019, p 21).

During previous years, the Family Support Centres in Port Moresby and in Lae has significantly expanded, and in 2017 the Australian Government, in partnership with the PNG government, has funded the opening of a new wing of the Centre that will give crucial health care and psychological support (Australia High Commission, 2017).

At the same time, however, the Family Support Centres allocated in other parts of the country are not fully established and integrated . According to research conducted by the Spotlight Initiative, only four centres out of 17 have the necessary resources to address the needs of GBV survivors (Spotlight Initiative, 2019, p 21). Besides these specific Family Support centres, only 20% of 34 health facilities interviewed provide assistance for gender based violence survivors (Spotlight Initiative, 2019, p 22).

The COVID-19 crisis has worsened this situation. The Family Support Centres had to be converted into COVID-19 centres, thereby reducing resources necessary to address GBV (Eastern Highlands Family Voice et al., 2020).

Safe Houses are another important instrument to support GBV survivors, as they play a crucial role in supporting and providing shelter for women whose lives are in danger. However, there are few safe houses in PNG (in the Highlands provinces, there are only three safe houses total), and they are often controlled by faith based organizations, who often experience inadequate funding (Spotlight Initiative, 2019, p 22). There are other similar solutions provided by local NGOs, however these often run without the assistance or support of the government.

In addition to the practical limits in capacity and funding mentioned above, Family Support Centers and Safe Houses often also rely on volunteers who are frequently unaware of protocols regarding unaccompanied minors, or what to do in child sexual abuse cases (Spotlight Initiative, 2019, p 22).

In order to address these issues, the Health Sector of the PNG government developed measures in accordance with global standards for GBV survivors. Among these are two crucial instruments: (i) **the Essential Services Package** for Women and Girls subject to violence; and (ii) the **World Health Organization's Clinical and Policy Guidelines for responding to Intimate Partner Violence and Sexual Violence against Women** (Spotlight Initiative, 2019, p 18). The Health Sector has elaborated the Package particularly to improve

the respect of international commitments that the PNG government has taken about VAWG and that are not always fully implemented. It has also adopted **Clinical Guidelines**, crucial for the Family Support Centres. However, despite the adoption of these measures, their efficiency is still low due to the need to adequately train staff on the implementation of these protocols and guidelines (Spotlight Initiative, 2019, p 18).

2.2 Women's Participation in Politics

During the first UPR cycle, PNG received a recommendation that it ensure female representation in parliament, based also on part II of the CEDAW (Human Rights Council, *Report of the Working Group on the Universal Periodic Review*, 2011). During the second UPR cycle in 2016, PNG reported the enactment of two important instruments to address the issue: (i) **the Constitutional Amendment n 32 Equality and Participation Law (2011)** and (ii) **National Council of Women Act 2013**. Both of these instruments ensure gender equality in political participation and public affairs. PNG also committed itself to adopt additional measures to improve the participation of women in politics through the *Pacific Islands Forum Gender Equality Declaration*.

Despite these efforts, as of 2017, there are 0 women who hold a seat in PNG Parliament, and in 40 years, there have been only 7 women elected to parliament in total (Department of National Planning and Monitoring, 2020, 36). This makes PNG one of only five countries in the world with no women in a legislative body (Dilu, 2021). The situation is not better at the local level, with only 1.4% of female participation in 319 Local Level Governments (LLG) (Fairio, 2019).

The academic Karl asks “Why is women’s participation so important? ... There can be no true democracy, no true people’s participation in governance and development without the equal participation of women and men in all spheres of life and at all levels of decision-making (Karl, 1995:1)”. There are many reasons that explain the low level of female participation in PNG politics. For one thing, women are often seen as not equal as men, particularly within the villages and in rural contexts. Furthermore, oftentimes, women themselves do not believe that they are capable of serving in political positions. Funding and economic impediments faced by women also make it very difficult to launch political campaigns (*Why Are There Are No Women in Papua New Guinea’s Parliament?*, 2018).

In previous years, there have been multiple proposals to modify current legislation with the aim of improving women’s participation in politics. The *Organic Law on Provincial and Local- Level Government Elections* established in 2002 that within the 296 LLGs in the Country, 566 women should be nominated (Sepoe, 2002). In 2011, the Equality and Participation Bill was elaborated to ensure increased women’s participation in politics and to achieve the United Nations’ Millennium Development Goals (MDG): it would assure 22 seats out of 111 in the Parliament, one for each Province and the National Capital District; however, it was not adopted because electoral changes need a constitutional amendment which was never voted (Wyeth, 2017).

After the 2017 election, the Government announced that it would again try to enact the 22 reserved seats proposal, and in the case of this not passing, a secondary proposal would be

enacted with 4 allocated seats, one for each region (Akhila, 2018). In 2018, the Constitutional and Law Reform Commission undertook electoral legislation review to ensure the increased political participation of women within an 18 month timeframe. The Commission has made multiple recommendations on the topics of elections, manners of conducting elections, and in particular, the number of seats reserved for women and other special interest groups (*Recommendation to Amend Electoral Laws*, 2020).

The PNG General Election will take place in 2022. In preparation, the UNDP, in collaboration with the PNG Integrity of Political Parties and Candidates Commission (IPPPAC), is starting a campaign to ensure women's participation in the election as well as raise awareness at the local level about the importance of participation of women in politics (*Efforts to Get Women Into Parliament Underway*, 2020).

In addition to this, the PNG government is trying to adopt measures in order to ensure that women are better represented within the various political parties themselves. In order to do this, the PNG government intends to change the *Organic Law on the Integrity of Political Parties and Candidates (OLIPPAC)* in order to oblige each party to make at least 20% of their candidate base female (Mori, 2019). The second concerns the review of the *Organic Law on Provincial and Local- Level Government Elections (OLPLLG)* proposed by the PNG Constitutional and Law Reform Commission (CLRC), to ensure 4 seats to women for each region plus one more for the Highlands region, considering the size of the population in that region, as suggested already in 2017 (Mori, 2019).

2.3 Participation of Women in Economic Life

Article 13 of CEDAW addresses economical opportunities for women and to ensure the global right of women to access bank loans, mortgages and other financial services.

The PNG Government has taken several measures in accordance with the CEDAW to improve the economic and social development of women (Human Rights Council, *National report*, 2016, paras 77).

According to the World Bank's 2020 assessment, PNG's economy is based on two broad sectors: the agricultural, forestry, and fishing sector, where most of the labour force is informally employed, and the minerals and energy extraction sector, which accounts for the majority of PNGs export earnings and Gross Domestic Product (The World Bank 2020). Women are often informally employed in the agricultural sector, which has implications for women's economic autonomy. Indeed , the Asian Development Bank (ADB) analysed the country's situation relating to Sustainable Development Goal 1 concerning poverty, and found that in 2017, the 37.5% of the population was living below the National Poverty Line. From a gendered point of view, while 15.7% of the employed male population earned less than the \$ 1.90 Purchasing Power Parity, this percentage grew to 28.1% amongst the female working population (ADB 2019). In conclusion, this data suggests that most women in PNG are not able to earn very much for themselves, making them more likely to be economically dependent on men. In addition, according to the *Papua New Guinea Voluntary National review 2020*, women's salary is often less than half that of men's salary (682 PGK vs 1404 PGK) (Department of National Planning and Monitoring, 2020, 38).

In 2019 the ADB published its *Pacific Economic Monitor*, analysing the economic situation of the Pacific Countries, with a specific focus on their development during the past 10 years. According to this report, women play a significant role in agriculture. However, they represent just 48.2% of the employed population because they often are employed informally (ADB 2019). This data is also supported by the fact that, as recorded in 2013, just 38% of public employees are female, indicating that formal employment in the public sector is mostly reserved for men. Female informal employment entails lower salaries, fewer benefits, and worse insurances than men (ADB 2019).

ADB's report also addressed social protection in Pacific Countries from a gender perspective. Traditionally, Pacific societies, including PNG, take care of the disadvantaged through family and the community's efforts, providing an informal type of social protection (ADB 2019). As a result, formal social protection systems in Pacific Countries are usually very weak. Social protection is measured through the Social Protection Indicator (SPI), which is based on three specific parameters (social assistance, social insurance, labour market programs) and is expressed as a percentage of the GDP. In 2015, the average score across Pacific countries was 5.3%, while in PNG, it was just 0.8% (ADB 2019). However, it is important to note that PNG is the only country where women and men have nearly the same SPI because, as the ADB explains, women play a significant role in agriculture. However, the fact that social protection in PNG still is the lowest among Pacific Countries, coupled with the rate of women's informal unemployment, is troubling.

In 2019, The Pacific Economic Monitor highlighted two important flaws of the PNG political system (ADB, 2019). First of all, the ADB identifies the lack of available data as one of the most important obstacles to plan new effective policies in many fields, including female formal employment (ADB, 2019). The lack of a data collection system also concerns the health field, which is, according to ADB, another essential issue that the country must address. According to the report, PNG is actually spending more public funds in health than previous years, however, the country's health supports seem to not be improving, and, from gender-based perspective, specialised centres for GBV victims are not improving either (ADB 2019). The key point is that PNG should use healthcare expenditures more effectively, by first establishing strong data collection practices, and then use this data to inform efficient healthcare spending and support policymaking overall.

In order to improve the economic situation of women, the PNG government has kickstarted various financial inclusion programs that specifically target women and girls (Department of National Planning and Monitoring, 2020, 36). For example, the Women's Micro Bank Limited (WMBL) was started in 2010 by the Bank of PNG, and its mission is "To empower PNG women and their families through the provision of simple and accessible financial services offered in a sustainable manner" (<https://www.womenmicrobank.com/>).

2.4 Women and Health

Given the COVID-19 pandemic, the global right to healthcare has received nearly unprecedented scrutiny. For women in PNG however, receiving adequate healthcare has never been a given.

PNG's economic, social, and geographic context has long limited the development of health practitioners. For women, this is seen most acutely in the high rates of infant mortality and emergencies faced by women in labour, it is estimated that almost 50% of births in PNG were assisted by a skilled health personnel in the rural areas, while the percentage increases in urban areas (around 80%) (Spotlight Initiative, 2019, p 12). Due to this and other factors, maternal mortality in PNG is high, at 145 deaths per 100.000 live births in 2019, even if this represents an improvement compared to 2016 numbers where there were 733 deaths per 100.000 live births (Department of National Planning and Monitoring, 2020, 38). Based on the Sustainable Developments Goals (Goal 3), the maternal mortality rate in PNG should be reduced to 70 cases per 100.000 live births. This goal is far from being reached in PNG, not only due to the death of medical professionals and institutions, but also to the poor social and economic conditions in which PNG women live (Dennis, 2018).

Another huge problem affecting the population of PNG is HIV infection: in 2016 almost 3000 thousands of new cases were reported, while almost 1000 deaths for HIV were registered (Spotlight Initiative, 2019, p. 12). Moreover, only 33% of pregnant women affected by HIV have access to treatments to avoid transmission to the baby (due to Covid19, it is likely that fewer women have received treatments during the pandemic); finally the most vulnerable individuals are the female sex workers (Spotlight Initiative, 2019, p. 12).

The health system in PNG is decentralized: at the top there is the National Department of Health to which is allocated the coordination and managing of provincial hospitals, while the other services (rural hospitals, health centres) are controlled by provincial and local governments (Grundy et al., 2019). The major instruments developed by the PNG Government are the National Health Plan (2011-2020) and the National Health Sector Gender Policy 2014.

2.5 Sorcery Accusation Related Violence

Sorcery Accusation Related Violence (SARV) is a prominent phenomenon in Papua New Guinea. The term "sorcery" used to describe this violence is generalized to include a variety of beliefs and worldview systems found across Papua New Guinea in which an individual referred to as the "witch" or "sorcerer" is believed to cause harm through supernatural means (Forsyth et al., 2019). Those accused of "sorcery" are attacked by individuals, mobs and often tortured or killed for their perceived acts. Many cases of SARV are unreported and justice is rarely served. Therefore, there are no detailed statistics on the total number of victims and their demographic qualifiers. Recent research in the areas of Enga, Bougainville and Port Moresby has shown that the victims can be men, women or children, who often are accused through the belief that the power for sorcery exists in their bloodline, and the number of cases have been increasing over the last few years. In some regions, women make up the majority of the victims, whereas in other regions, men are more likely to be accused and harmed (Forsyth et al., 2019). However, overall, it is women and girls who are predominantly accused of SARV, which is believed to reflect cultural assumptions of gender, such as fear of women (Forsyth et al., 2019). The most recent report of SARV occurred on

April 25th, 2021 in Port Moresby, where two women were tortured by up to 20 men after being accused of witchcraft (Togiba, 2021).

Sorcery is still strongly embedded within different areas of PNG and creates community tensions, conflict and violence (Forsyth & Eves, 2015, 1-20). There are laws and penalties against certain sorcery behaviours, but executing these laws, which are the responsibility of village courts, is another matter. Since the village courts do not execute punishments, citizens often take it upon themselves to punish the presumed sorcerers (Onagi, 2015). These acts of 'taking matters in their own hands' are based on the belief that they are doing the community a favor.

In 2010 the committee on the Elimination of Discrimination against Women underlined that the harmful practice of brutal torture and killings of women and girls who are accused of witchcraft, is a grave violation of girls' and women's human rights and represent the State party's obligations under CEDAW (para. 26) The committee urged PNG to take immediate and effective measures (para. 27).

During the first UPR cycle, PNG acknowledged that it experienced an increase in human rights challenges, such as sorcery-related killings. It stated that the legislation concerning the matter was under review according to the guidance of the CLRC. Multiple recommendations were made to accelerate this review and to strengthen the enforcement of relevant legislation (Human Rights Council, *Report of the Working Group on the Universal Periodic Review*, 2011). The report mentions that the majority of the victims are women. As mentioned above, the gender distribution of sorcery related violence is highly dependent on the region.

During the second UPR cycle, two major adaptations were constituted:

- (i) An amendment to the Criminal Code Act criminalized sorcery-related violence and killings.
- (ii) And, a National Action Plan Against Sorcery and Witchcraft-related Violence (SNAP)

Both steps were positively received, but recommendations were made to raise awareness on violence related to sorcery accusations, to directly implement the SNAP, and ensure that there is adequate funding. Furthermore, the investigation of incidents of sorcery related violence and the prosecutions of alleged perpetrators need to be ensured (Human Rights Council, *Report of the Working Group on the Universal Periodic Review*, 2016).

The killing of a sorcerer has been criminalised since the implementation of the Criminal Code, categorised as murder in the eyes of the law. On the other hand, the act of sorcery itself was also punishable. This led colonial courts to take into account the motivation of murder as a mitigating factor in determining the sentence. The Sorcery Act of 1971 gave jurisdiction to the formal courts to prosecute acts of sorcery, but also gave a legal base for reducing a charge of murder to one of manslaughter if the motivation was related to accusations of sorcery. It was this factor that was very problematic for the CLRC, when it reviewed the law on sorcery and sorcery related killings, particularly the Sorcery Act 1971. The Act was repealed in 2013 in response (Stewart, 2015).

At the same time of the repeal of the Sorcery Act, an Amendment to the Criminal Code foresaw the willful murder of a person on account of accusation of sorcery as a specific

offence (s299A), punishable with the death sentence. Convictions related to sorcery killings increased, but mainly only when the victim of the sorcery related violence is male. Research has shown that there is also widespread confusion, from police officers to the criminal justice sector, about the current applicable law. Indeed, specifically criminalizing killing but not other forms of violence creates confusion. The term 'repealing' the Act, created expectations for a new Act specifically related to sorcery. This confusion has not yet been addressed but should be addressed urgently, demonstrating the great responsibility of communicating and activating new legislation within the region (Forsyth et al., 2019, 15-16).

District courts also play an important role in decreasing the violence related to sorcery by helping those who have been accused in clearing their names through defamation cases. The risk of having to pay compensation for defamation or spreading false rumours has proven to be successful in reducing public accusations. They also use mediation and restorative justice. Furthermore, hybrid legal institutions help to avert violence by gathering the community together and engaging in discussions around whether the 'evidence' really exists. Indeed, the main advantage of these hybrid systems is their closeness to the community (Forsyth et al., 2019, 19). These hybrid systems are aligned with the fact that support of the community is needed in tackling the violence related to sorcery.

In 2015 the PNG National Executive Council approved the Sorcery National Action Plan together with the allocation of PGK3 million, which has not yet been transferred to the Department of Justice & Attorney General. The Plan actively brings together several agencies and organisations working on sorcery related violence. In 2018 it led to three significant state-level initiatives:

- (i) workshops with police officers with a focus on proper investigations, appropriate charge; preparation of prosecution briefs. Another crucial element should be the funding from the PNG government in order to be able to apply the measures. The emphasis is learning from other's experiences and creating a network;
- (ii) the program of church conferences by the Constitutional Law Reform Commission with the aim of developing a joint strategy for all the different churches in PNG. The CLRC plays a mediator role in aligning the different beliefs; and,
- (iii) a range of communication and awareness raising activities, with a strong focus on bringing collective messages. (Forsyth et al., 2019, 28-29)

As it was seen above in other issues, detailed statistics on the amount of cases are not available and under-representative, particularly because the violence often occurs in secret or with widespread community support, or they are treated through compensation and bribery through local customary laws. Research conducted from 2016 to 2018 in the regions of Enga, Bougainville and Port Moresby revealed an incline in incidents. And, although the researchers do not want to state that the violence is an increasing problem everywhere, it is clear that it is entering new geographical areas and expanding in prevalence to new victim demographics such as children (Forsyth et al., 2019, 4-5). Since dramatic societal and community changes commonly underpin a sharp increase in sorcerer hunts (Forsyth et al., 2019, 9), it is possible that the COVID-19 pandemic and its resulting fallout could result in an increase in sorcery related violence.

3. INVOLVEMENT OF NGOs AND CSOs

PNG is home to several CSOs and NGOs, many of which are religious in nature and connected to traditional social structures. Due to the fact that many CSOs and NGOs are situated in remote locations, they rely heavily on funding from international aid agencies. The NGOs and CSOs discussed in this section are ones that focus on women's rights, gender equality and assisting families affected by domestic violence and trauma. Many also help to promote the participation of women and girls in all aspects of development and decision making on the local level.

3.1 About selected NGOs

The NGOs that our study focuses on are Bougainville Women's Federation, Femili PNG, MIKS, Youth for Change PNG, Eden Empowerment and the Salvation Army of Papua New Guinea and the Solomon Islands. Bougainville Women's Federation, Femili PNG and Eden Empowerment answered long answer interview questions via phone calls. MIKS and Youth for Change PNG submitted answers to the same long answer questions via email, and the Salvation Army of Papua New Guinea and the Solomon Islands completed a shorter form Google survey covering the same topics. The following analysis comprises information from the aforementioned NGO's websites, project reports and the interview or survey answers received.

Bougainville Women's Federation (BWF) advocates for women's rights within the Autonomous Region of Bougainville, emphasizing female participation in both local decision making and in the economic realm. BWF achieves these outcomes through a range of projects, for example, their young women's leadership and financial literacy programs. Eden Empowerment uses traditional Christian and Melanesian informed principles to reduce instances of GBV. It uses a social media outreach strategy to connect women with local resources and will be working towards creating a "cultural village" to foster women and community involvement in preserving cultural history (Eden Empowerment interview, 2021). Youth for change involves training young people to become counsellors to facilitate community based healing from GBV. "Youth for Change PNG" works with youth populations to reduce violence using trauma specific workshops and village based educational programs.

A variety of organizations provide vocational training and workshops for PNG women. For example, the PNG Salvation Army conducts a women's weekend program on sewing. They also conduct educational workshops to raise awareness of the rights available to women and girls, and to assist survivors of family and sexual violence with accessing necessary services (Salvation Army PNG, Survey, 2021).

Some of the NGOs such as Femili PNG run case management centers with a survivor-centered approach. Indeed, Femili PNG established family healing villages to provide shelter to women and children affected by domestic violence. Femili PNG also helps GBV survivors access essential services provided by the government such as medical facilities, and court and police proceedings.

Meri Kirap Sapotim (MIKS) and Kup Women for Peace (KWP) work together to raise awareness around good governance and women's empowerment. (MIKS Interview

response, 2021.) In Simbu province, MIKS and KWP formed a family sexual violence unit at police station, in response to high instances of women withdrawing cases of GBV due to family and community pressure. (MIKS Interview response, 2021.) These two organizations are highly successful, and some village courts have female magistrates who are members of MIKS or KWP (MDF-PNG interview, 2021).

3.2 Issues in Implementation of Women and Girls Rights Programs and Projects by NGOs in PNG

NGOs interviewed and surveyed noted several challenges they face in implementing women's rights programs and initiatives. Five of the six selected NGOs noted difficulties in obtaining funding in order to cover operational costs for their organization and costs for their organization's role out of programs. For example, Eden Empowerment explained how they have not yet been able to start working on their "cultural village" project because they are waiting to receive feedback regarding their funding applications. Youth for Change - PNG also highlighted challenges in funding their workshops, in fact, most of the activities they run are funded by the director and the director's close friends, which is also indicative of challenges in funding NGO projects. Youth for Change - PNG has also had to decline invitations to run workshops in other provinces in PNG to train youth to become community educators and trauma counsellors due to lack of funding. Similarly, MIKS also highlighted that their organization had no paid staff due to lack of funding. In the Salvation Army of Papua New Guinea and the Solomon Islands' survey responses, the organization also indicated funding to be a challenge in implementing their own activities and in implementing PNG measures in general. Femili PNG also noted challenges in funding, mostly related to differing funding application requirements and lack of PNG based funding - which was also noted by the Salvation Army of Papua New Guinea and the Solomon Islands.

Some NGOs also noted challenges in collaborating with other NGOs and CSOs, such as the Salvation Army of Papua New Guinea and the Solomon Islands. MIKS also explained that there were a lot of challenges involved in working with an international organization as a development partner, such as complicated politics between these international NGOs and difficulties in receiving payments from the international NGO development partner for their work (MIKS Interview, 2021). In addition, location, specifically implementing programs and policies in remote locations, was a challenge mentioned by the majority of the NGOs. Femili PNG and Eden Empowerment also mentioned that it is difficult to serve in remote areas due to disconnectivity and lack of resources (Femili PNG & Eden Empowerment Interview, 2021). Therefore, survivors of family and sexual violence in geographically difficult to access areas in PNG are often at a disadvantage when trying to access services (Femili PNG Interview, 2021). The Salvation Army of Papua New Guinea and the Solomon Islands also expressed that lack of training capacity, resistance from people in the community and lack of assistance from the PNG government are factors which impede the NGOs ability to provide programs to assist women and girls. Femili PNG also highlighted delays in government services to support women and victims of violence (Femili PNG interview, 2021).

3.3 NGO perceptions of women's rights, VAW, GBV and SARV in PNG and related policies

The majority of NGOs interviewed indicated that women's rights in PNG are still being threatened and forms of violence against women falling under the categories of GBV and SARV are still rampant. Eden Empowerment noted how the GBV situation has even gotten worse in recent years despite the aforementioned strategies and treaties being implemented. Youth For Change PNG explained how women and girls continue to experience torture due to accusations or sorcery or abuse by husbands. The recent death of a PNG woman, Jenelyn Kennedy, who was tortured by her husband over the course of 4 days is not an isolated or uncommon incident in PNG, according to Youth for Change, PNG. Though media reports of a select few cases of GBV are apparent, many cases of GBV and SARV are not reported for several reasons, such as fear of revenge, and lack of access to justice and health services (MIKS interview, 2021). That being said, Femili PNG noted how they have seen an increased number of survivors accessing services, which may not be a reflection of an increase in IPV, family and sexual violence but rather due to an increase in advocacy by NGOs to access services and seek help.

Current PNG policies and ratified documents

All of the NGOs interviewed are familiar with current PNG policies addressing GBV and SARV, such as the Sorcery and Accusation National Plan (SNAP) and the National GBV Strategy. Youth for Change PNG noted the importance of the Family Protection Act and Lukautim Pikinini Act (to promote the rights and wellbeing of children) which have also assisted in strengthening the rights of women and girls in PNG and the role of the PNG's Criminal Code in condemning such violence against women. MIKS also highlighted the PNG National Constitution and PNG's Eight Point Plan as mechanisms which address gender equality and women's rights in PNG.

All of the NGOs interviewed are also familiar with international treaties and conventions, such as the CEDAW which has been adopted by the PNG government. NGOs in general were aware of the CEDAW-OP which has not yet been ratified by the PNG government, though were not familiar with the specific details of the legislation. Despite this, five of the six NGOs interviewed supported the ratification of this optional protocol, if this complaint and inquiry mechanism for the CEDAW would strengthen the convention's impact and protect the rights of women and girls. One NGO did not oppose the ratification of the CEDAW-OP but remained neutral. Four of the six NGOs were also familiar with CAT, and five out of six NGOs agreed the provisions should be adopted as violence against any human being should not be tolerated. One NGO also remained neutral regarding PNG's implementation of the CAT.

Policy Effectiveness and Implementation

The laws, their provisions and strategies adopted by PNG are well-developed and detailed, according to all NGO survey and interview respondents. A few NGOs noted that PNG's policies could be elaborated slightly in order to better align with international conventions and treaties (Bougainville Women's Federation Interview, 2021). Despite general approval of

PNG's designed policies there appears to be a severe disconnect between goals as outlined by the measures and expected results, as expressed by interviewed NGO representatives. For example, Femili PNG highlighted that the GBV Strategy created by the PNG government, set to last from 2016-2025 is nearing its end as in 2021, though according to Femili PNG the strategy has yet to be effectively implemented. Furthermore, MIKS noted how SNAP has not been translated into programs in nearly all provincial and national government departments, deeming this legislation in addition to the Lukautim Pikinini Act and Interim Protection Orders a failure in implementation (MIKS Interview, 2021).

Several responses by NGOs highlight issues in implementation of policy pertaining to women's rights and human rights. Youth for Change noted how PNG policies that had been ratified based on international treaties and documents were ineffective due to lack of enforcement, comparing the policies to a "brand new car without a battery" (Youth for Change Interview, 2021). MIKS also stated, "The laws are good; it's ensuring the laws work for people that are weak" (MIKS Interview, 2021). NGOs also expressed an overall lack of action by the PNG government to implement these laws and strategies to address GBV, whether it be in the form of funding or resource mobilization (Eden Empowerment Interview, 2021). MIKS stated that the Community Development and Religion Department that is responsible for promoting women and girls' rights has not done enough in the last 10+ years (MIKS Interview, 2021). MIKS also expressed that it is working to revive the National Council of Women in PNG with 8 like minded women who also feel the same way about the Community Development Department (MIKS Interview, 2021). In addition, Femili PNG pointed out that there is always a deliberate delay of justice when it is a high profile court case, which may be indicative of corruption or bias in systems dealing with GBV cases (Femili PNG interview, 2021). In a survey response, The Salvation Army of Papua New Guinea and the Solomon Islands agreed that there are perhaps too many PNG measures currently in place that lacked training capacity and agreed that legal, policy, community and police officials do not have the capacity to enforce human rights and women's rights policies in PNG.

Suggested Improvements in Policy Implementation

The NGOs interviewed expressed several methods to improve implementation of PNG's GBV laws, policies and programs. For example, Femili PNG noted that the government needs to be more clear as to who is in charge of ensuring proper policy implementation. For example, it could sit with the community development department or another separate department could be responsible for this (Femili PNG interview 2021). Eden Empowerment expressed the need for PNG departments, governing bodies and organizations to "organize" themselves in order to improve implementation efforts. Bougainville Women's Federation and Femili PNG also expressed the need to review policies and measures upon implementation, in order to evaluate their progress and shortcomings. Femili PNG also highlighted the need for GBV, women's rights and human rights policies to be informed by a ground level/ bottom up approach. Understanding the experiences, needs and challenges of sexual violence, GBV, SARV and IPV survivors and their struggles accessing services would assist in developing policy programs and implementation plans that work for the community (Femili PNG Interview, 2021). In addition, Femili PNG also highlighted the fact that the 1st Special Parliamentary Inquiry into GBV which began on May 24th, 2021 is an example of a

conversation that needs to continue, in order to understand the current status of women and girls rights in PNG, the current GBV situation and how this may be improved (Femili PNG Interview, 2021). Organizations such as Femili PNG, Eden Empowerment and Bougainville Women's Federation encourage representation of women in legislation bodies. Women's lack of representation directly contributes to their needs not being addressed and their human rights being abused (Eden Empowerment interview, 2021). Femili PNG also stressed the need for equal participation of men and women in the government, as although most male politicians do understand the severity of GBV, an increase in women's representation in the government would ensure issues of women and children are better represented (Femili PNG Interview, 2021).

Increase in NGO/CSO- Policy Maker Interaction

All six NGOs interviewed expressed that there is currently not enough NGO/CSO and policymaker interaction in regards to the implementation of women and girls' policies and programs in PNG. MIKS, Femili PNG and Eden Empowerment specifically emphasized the need for increased advocacy and stronger NGO and CSO voices in the PNG government's adopted measures to address GBV. MIKS also highlighted that the capacity and capability of NGOs may be contributing factors to this issue (MIKS Interview, 2021). Femili PNG also stated the need for more on the ground collaboration between NGOs in the government in providing services and programs to those in need (Femili PNG Interview, 2021). MIKS, Eden Empowerment and Femili PNG noted how increased NGO and CSO interaction in designing, implementing in reviewing GBV, women's rights and human rights policies would make measures more practical. In addition, increased dialogue between NGOs/CSOs in PNG and the PNG government would also foster meaningful advocacy and lobbying to improve and implement effective measures and educate the general public (Bougainville; MIKS; Femili PNG Interviews, 2021).

CONCLUSION

The research has shown the commitment of the PNG government and the several organizations operating in the territory to implement human rights and women's rights. It is remarkable that the government as well as all society are aware of the gender challenges and the gaps present in Papua New Guinea and the tangible effort to improve the situation. Besides gender issues, there are other several social challenges that hinder the implementation of measures and policies, such as the difficulty to reach some areas, the economic situation of the country, the lack of education among certain communities, and above all the Covid19 crisis.

In the light of these considerations and research, there are some recommendations for the PNG government to improve its commitment.

- Before adopting new policies and measures, the PNG government should concentrate on the already existing ones. From the research it emerges that they are often well written and in line with the international obligations that the PNG government has. The main issue remains the better implementation of the measures in order to make them efficient.

- Considering the differences between the several realities in PNG, the PNG government should address gender issues and GBV with a view more local and based on the local needs and challenges.
 - Even if the PNG government believes that there are enough measures to implement women's rights, the ratification of the OP- CEDAW is a fundamental step to take.
 - The PNG government should ratify the Convention against Torture, that will be a useful instrument to fight against GBV and to assure that the perpetrators will be brought to justice.
 - There should be a re-thinking about the distribution and the increase of fundings. As mentioned above, all NGOs and CSO interviews have affirmed a lack of funding, and this hinders their activities.
 - The PNG government should focus on mobilizing CSOs and NGOs in protecting women's rights and implementing existing measures. There should be a stronger collaboration between the different and several realities in order to join the efforts and be more efficient.
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APPENDIX

Appendix 1: Survey: Non-governmental organizations (NGOs) and Civil Society Organizations (CSOs) Implementation of Human and Women's Rights Related Policy in Papua New Guinea (PNG)

1. Name and mission of the organization

2. Main activities that your organization is conducting in relation to human rights and the rights of women and girls in PNG
 - a. 25%
 - b. 50%
 - c. 75%
 - d. 100%
3. What has been the impact of your organization's activities?
4. The PNG, the government is taking all necessary measures to address gender-based violence (GBV) and sorcery accusation related violence (SARV).
 - a. Strongly agree
 - b. Agree
 - c. Neutral
 - d. Disagree
 - e. Strongly Disagree
5. The PNG government is taking all necessary measures to protect women and girls rights.
 - a. Strongly agree
 - b. Agree
 - c. Neutral
 - d. Disagree
 - e. Strongly Disagree
6. I am familiar with the CEDAW (Convention on the Elimination of All Forms of Discrimination Against Women).
 - a. yes
 - b. no
 - c. I know what it is but I don't know the content
7. I am familiar with the PNG National strategy to prevent and respond to gender based violence (2015-2025)
 - a. yes
 - b. no
 - c. I know what it is but I don't know the content
8. I am familiar with the PNG National strategy to prevent and respond to gender based violence (2015-2025)
 - a. yes
 - b. no
 - c. I know what it is but I don't know the content
9. I think that the PNG Strategy is implemented at ...
 - a. 25%
 - b. 50%
 - c. 75%
 - d. 100%
10. I am familiar with the Sorcery and Witchcraft Accusation National Plan
 - a. yes
 - b. no
 - c. I know what it is but I don't know the content
11. I believe PNG should ratify the CAT (The Convention Against Torture)
 - a. Strongly agree
 - b. Agree
 - c. Neutral
 - d. Disagree
 - e. Strongly Disagree
12. I think PNG should ratify the CEDAW-OP (Convention on the Elimination of All forms of Discrimination against Women - Optional Protocol)
 - a. Strongly agree
 - b. Agree
 - c. Neutral
 - d. Disagree
 - e. Strongly Disagree
13. The measures adopted by PNG on the basis of the CEDAW and other treaties or conventions are effective in addressing gender based violence issues.
 - a. Strongly agree
 - b. Agree
 - c. Neutral
 - d. Disagree
 - e. Strongly Disagree
14. One problem related to PNG measures is lack of funding.
 - a. Strongly agree
 - b. Agree
 - c. Neutral
 - d. Disagree
 - e. Strongly Disagree
15. PNG measures lack training capacity
 - a. Strongly agree
 - b. Agree

- c. Neutral
 - d. Disagree
 - e. Strongly Disagree
16. Legal, policy, community and police officials do not have the capacity to enforce human rights and women's rights policies in PNG.
- a. Strongly agree
 - b. Agree
 - c. Neutral
 - d. Disagree
 - e. Strongly Disagree
17. There are too many strategies and policies created by the PNG government
- a. Strongly agree
 - b. Agree
 - c. Neutral
 - d. Disagree
 - e. Strongly Disagree
18. PNG policies pertaining to human rights, the rights of women and girls are difficult to implement.
- a. Strongly agree
 - b. Agree
- c. Neutral
 - d. Disagree
 - e. Strongly Disagree
19. PNG should take more measures to address gender based violence issues.
- a. Strongly agree
 - b. Agree
 - c. Neutral
 - d. Disagree
 - e. Strongly Disagree
20. When I conduct my activities, the main challenges that I face are ... (you can chose more than one option)
- a. lack of funding
 - b. Resistance from people
 - c. Lack of collaboration with other NGOs or CSO
 - d. Lack of government assistance
21. Do you have any other information/element that you want to describe?

Appendix 2: Interview Questions

1. When was your organization created?
2. What is the mission of your organization?
3. What issues does your organization focus on in relation to women and girls rights?
4. How does your organization protect and improve the rights, dignity of women and girls in your community/ country? (e.g.: what activities does your organization carry out in relation to women and girls rights in PNG?)
5. Are you familiar with Papua New Guinea policies and laws regarding women and girls rights?
6. Are any of your organization's activities linked to PNG policies and strategies?
7. Did the government/ government representative ask your organization to carry out particular activities/ programs related to women and girl's rights in PNG?
8. How has your work had a positive impact on women and girls rights, dignity and freedom in PNG?
9. What challenges do you face in implementing these activities to help women and girls? (e.g.: funding, participation)

10. Are you familiar with CAT?
11. Do you think that PNG should ratify CAT in order to address GBV? Why or why not?
12. Are you familiar with the CEDAW?
13. Are you familiar with the CEDAW-OP?
14. In the second UPR cycle, the PNG government affirmed that the ratification of the CEDAW-OP is not necessary. Do you think the CEDAW-OP should be ratified?
15. Are you familiar with the Sorcery and Witchcraft Accusation National Plan?
16. Are PNG laws and policies based on the ratified international documents effective in your opinion?
17. Do you think that PNG should elaborate on existing human rights treaties, conventions and policies related to women's rights?
18. Is there enough policy maker- CSO interaction on implementing women and girls rights programs in your opinion?
19. Is there anything else we should know in relation to a) CSO/ NGO activities b) PNG human rights policy implementation c) status of women and girls dignity, rights and freedoms in your community of focus?