

Papua New Guinea 2023 Human Rights Report

Executive Summary

There were no significant changes in the human rights situation in Papua New Guinea during the year.

Significant human rights issues included credible reports of: harsh and life-threatening prison conditions; serious acts of government corruption; extensive gender-based violence, including domestic or intimate partner violence, sexual violence, workplace violence, and other forms of such violence; trafficking in persons; the criminalization of consensual same-sex sexual conduct between men; and extensive child labor, including the worst forms of child labor.

The government did not take credible action to identify and punish officials who may have committed human rights abuses. Impunity was pervasive.

There were reported abuses by private entities and criminal gangs. Authorities investigated and prosecuted some cases involving these groups.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or

Politically Motivated Killings

Unlike in previous years, there were no reports that the government or its agents committed arbitrary or unlawful killings or extrajudicial killings.

In March, the National Court found a policeman guilty of a double murder in 2021. The court found that during a “commotion” in Port Moresby, the off-duty officer fired several shots, killing two men. As of year’s end, however, the court had not issued a sentence.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and Other Related Abuses

The constitution prohibited such practices, but there were credible reports that government officials employed them. Individual police and correctional services officers reportedly beat and otherwise abused citizens or suspects before or during arrests, during interrogations, and in pretrial detention.

In November 2022, a detainee was allegedly brutally beaten by police in Oro Province. Other detainees alerted duty officers who took him to Popondetta General Hospital. As of October, the Internal Affairs Unit,

responsible for investigating such incidents, had not pursued an investigation into the incident.

A high level of violence and property destruction often marked police raids and searches of suspected criminals as well as forced evictions of illegal squatter settlements.

Public concern about police and military violence against civilians and security forces' impunity persisted. Police also committed sexual violence.

Prison and Detention Center Conditions

Prison conditions were harsh and life threatening due to gross overcrowding in some facilities, physical abuse, and inadequate sanitary conditions, medical care, and food shortages.

Abusive Physical Conditions: The country's prisons were overcrowded. In August, an Ombudsman Commission visit revealed that inmate overcrowding was a problem at the Buimo Correctional Facility in Morobe Province. The facility was holding more than 1,000 inmates; its official capacity was 600. Court delays contributed to remandees being held for extended periods of time, leading to overcrowding.

In September, the *Post Courier* newspaper reported several remanded inmates were returned to the National Capital District Police Command for processing due to occupancy constraints. Port Moresby's Bomana jail was

unable to accept new inmates as it was operating at 45 percent above the official capacity of 550 inmates.

Sanitation was poor, and prisoners complained of lack of medical treatment.

Jail breaks were common, with many escapees not caught and some killed by security forces. In April, 24 prisoners cut a fence and attempted to escape from a prison in West New Britain Province. Corrections Service officials confirmed that 16 of the group were shot and killed, one was shot and injured, and seven escaped successfully. In October 2022, 26 prisoners escaped successfully from the same prison.

Administration: The government mandated the Ombudsman Commission visit prisons and investigate complaints from prisoners.

In August, the Ombudsman Commission visited prisons in Western Highlands, Morobe, East New Britain, Central Province and in the National Capital District. The commission's report cited overcrowding and human rights violations at the Buimo prison in Morobe Province and recommended collaboration between the commission and government bodies in addition to provincial government funding allocations for correctional facility improvements.

Independent Monitoring: The government permitted monitoring visits by independent observers. Correctional service officials stated various church representatives made visits, but the service did not release records or

statistics on the number or types of visits. During the year, the International Committee of the Red Cross independently visited prisons in Baisu in Mount Hagen, Western Highlands Province, Bomana in Port Moresby, National Capital District, and in Bougainville.

d. Arbitrary Arrest or Detention

The constitution prohibited arbitrary arrest and detention and provided for the right of any person to challenge the lawfulness of their arrest or detention in court, but these provisions were rarely enforced.

Arrest Procedures and Treatment of Detainees

By law police were required to have reason to believe that a crime was being or was expected to be committed before making an arrest. A warrant was not required, but police, prosecutors, and citizens could apply to a court for a warrant. Police normally did so only if they believed it would assist them in carrying out an arrest. Judicial authorization of a warrant was usually prompt.

Suspects charged with minor offenses could be released after bail was paid. Only national or Supreme Court judges could grant bail to persons charged with murder or aggravated robbery. In all other cases, police or magistrates could grant bail.

Arrested suspects had the right to legal counsel and to be informed of the

charges against them; however, the government did not always respect these rights.

Arbitrary Arrest: Police frequently detained citizens arbitrarily without evidence. In some cases, police detained citizens without charge to steal from them.

Pretrial Detention: Although the constitution provided for a right to trial “within a reasonable time” and pretrial detention was subject to strict judicial review through continuing pretrial consultations, lengthy pretrial detention was a problem, due to limited police resources, the slow pace of police investigations, a high crime rate, bail restrictions for certain crimes, and infrequent court sessions. According to Correctional Services’ data, detainees could wait up to 10 years before trial, sentencing, or release. Pretrial detention frequently equaled or exceeded the maximum sentence for alleged crimes. The average pretrial time served for all individuals was five years, according to local media reports. Pretrial detainees, frustrated by the slow processing of their cases, at times led prison breaks. Petition cases alleging electoral malfeasance after the 2022 national election further clogged the courts, some observers reported.

In August, the Ombudsman Commission visited Buimo prison in Morobe, where two remandees had not seen their cases brought before the courts for seven years. This extended delay contradicted the legal requirement that cases be presented within three months of arrest.

e. Denial of Fair Public Trial

The constitution provided for an independent judiciary, and the government generally respected judicial independence and impartiality.

Trial Procedures

The law provided for a presumption of innocence and due process, including a public trial “within a reasonable time.” The court system generally enforced these rights, except for timeliness. The shortage of judges created delays in both the trial process and the rendering of decisions.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

f. Transnational Repression

Not applicable.

g. Property Seizure and Restitution

Not applicable.

h. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The constitution prohibited such actions and there were no reports of such

abuses.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

The constitution provided for freedom of expression, including for the press and other media, and the government generally respected this right. An independent media, the judiciary, and a functioning democratic political system combined to promote freedom of expression, including for media members.

Violence and Harassment: Journalists were sometimes subjected to harassment, intimidation, or violence by police or supporters of parliamentarians for their reporting.

Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media: Publishers and journalists were generally aware of what content the government would object to and at times practiced self-censorship due to publications' reliance on government-purchased advertising.

Libel/Slander Laws: The law allowed for investigation and criminal prosecution for the release of allegedly defamatory material, although there

were no reports of such cases used as a political weapon against journalists or opposition political figures.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content.

b. Freedoms of Peaceful Assembly and Association

The constitution provided for the freedoms of peaceful assembly and association, and the government generally respected these rights.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement and the Right to Leave the Country

The constitution provided for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.

e. Protection of Refugees

The government cooperated with the Office of the UN High Commissioner for Refugees, the International Office for Migration, and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern.

Access to Asylum: The law provided for granting asylum or refugee status, and the government had a system for providing protection to refugees. Recognized refugees could apply for a refugee visa and certificate of identity, which allowed them to work and access public services.

Access to Basic Services: Asylum seekers and refugees were unable to access medical care and accommodation due to nonpayment of bills.

On September 28, the Asylum Seeker Resource Center reported 17 refugees in Port Moresby were evicted or on the verge of eviction due to nonpayment for accommodation services by the government.

On October 22, *The Guardian* newspaper reported an increasingly urgent need to provide services for 64 refugees and others at a closed detention center on Manus Island after funding from the Australian government ran out. The country's chief migration officer reported 16 persons requiring special medical treatment would be transferred to Australia, 10 would be resettled in Papua New Guinea, and the remainder would be resettled in New Zealand.

Durable Solutions: Approved asylum claimants could settle permanently in the country and, after eight years, apply for citizenship. Indonesian Papuans could apply for Papua New Guinean citizenship without having to wait for eight years or pay the citizenship fee.

Temporary Protection: The government provided temporary protection to persons from Indonesia's Papua region who might not qualify as refugees. According to government estimates, more than 10,000 refugees from Indonesia's Papua region were living in the country. In 2022 the government began a nationwide Naturalization and Registration Project to regularize the status of these persons. The country also welcomed non-Melanesian refugees, including those who arrived independently and those processed under regional arrangements.

f. Status and Treatment of Internally Displaced Persons (IDPs)

Natural disasters, tribal violence, ethnic clashes, sorcery and related violence, and land disputes contributed to the displacement of communities and individuals.

In July, the International Organization for Migration, at the request of the National Disaster Centre and Autonomous Bougainville Government, conducted a survey to assess the effects of the Mount Bagana volcano eruption. The survey reported 3,303 persons (724 households) were

temporarily displaced. From May to September, large-scale intertribal violence in Enga Province displaced more than 5,000 persons.

Displacement from disaster and violence was generally protracted, with families living in temporary situations for more than one year on average. These IDPs lacked access to land, basic services, and protection. Women and children were especially susceptible to food and housing insecurity, and their personal safety was at risk. The government had no policy or legislation to address the needs of IDPs, and host communities often responded to the arrival of displaced populations with violence.

In August, armed men attacked a house in Hela Province that was used by sorcery-related displaced persons. Such persons were frequently stigmatized, women were denied space at the markets, and children were threatened at schools.

For further information about IDPs in the country, please see the materials of the Internal Displacement Monitoring Center: <https://www.internal-displacement.org>.

Section 3. Freedom to Participate in the Political Process

The law provided citizens the ability to choose their government in periodic, free, and fair elections; these were, however, seriously flawed. Suffrage was

universal and equal.

Elections and Political Participation

Abuses or Irregularities in Recent Elections: National elections were widely reported to not be fair or free of abuses and irregularities. Bribery, voter intimidation, lack of ballot secrecy, ballot stuffing, social coercion by village leaders, campaigning at polling stations, and undue political and tribal influence were widespread in some parts of the country during the general election campaign in July 2022. Secrecy of the ballot was routinely compromised, and assisted voting was common. There were also many incidents of violence and destruction of property, primarily in the Highlands, during and after voting, causing the deaths of at least 50 individuals, including three police officers. Observers estimated that, altogether, up to 265,000 persons were affected by electoral violence.

The nongovernmental organization (NGO) International Foundation for Electoral Systems reported the violence stemmed in part from an under-resourced electoral commission along with poor planning and implementation. An observer group from the Commonwealth Secretariat agreed the commission faced funding shortages and noted logistical defects that were partly to blame for significant problems with the voter registration process. An observer group from the NGO Transparency International PNG described a severely flawed electoral process, with failures in the

preparation, conduct, delivery, and conclusion of the 2022 election. Key problems identified by the NGO included inaccurate voting rolls, lack of enforcement against election offenses, noncompliance with constitutional requirements, disturbances in counting ballots, confusion about the declaration of victorious candidates, and widespread election-related violence. Because of the manifold flaws, observers could not say the results were even broadly reflective of the voters' will.

Political Parties and Political Participation: There were no restrictions on party registration, and 43 parties contested the July 2022 elections. Several parties alleged that sitting members of parliament used government resources for campaigning in the 2022 elections. The lack of transparency in accounting for funds made this both possible and difficult to verify. In some areas, tribal leaders determined which candidate their tribe would support and influenced the entire tribe to vote for that candidate.

Participation of Women and Members of Marginalized or Vulnerable Groups: No law limited participation by women or members of marginalized or vulnerable groups in the political process, but the deeply rooted patriarchal culture and fear of gender-based violence impeded women's full participation in political life; women were expected to vote along tribal and family lines. Two women won seats in the July 2022 elections for the 118-seat parliament. A third woman won a seat in a by-election in Bougainville in October. Of the 46 judges on the National Court

and the Supreme Court, nine were women. The chief magistrate and deputy chief magistrate were women.

There were nine non-Melanesian members of parliament, triple the number before the election. Non-Melanesians generally did not face limitations in running for office.

Section 4. Corruption in Government

The law provided criminal penalties for corruption by officials, but the government did not implement the law effectively. There were numerous reports of government corruption; officials often engaged in corrupt practices with impunity.

Corruption: International civil society and human rights groups termed corruption “widespread” and “pervasive.” Corruption was a problem in part due to weak public institutions, lack of transparency, politicization of the bureaucracy, and the social pressure of traditional clan obligations. Corruption and conflicts of interest were of particular concern in extractive industries, most notably the logging sector, and in government procurement. In February, the parliamentary leadership tribunal found the former member for Madang and Immigration Minister, Bryan Kramer, guilty of seven counts of misconduct, including five counts of misuse of public funds. Kramer was fined and dismissed from office in May.

For additional information about corruption in the country, please see the Department of State's *Investment Climate Statement* for the country and the Department of State's *International Narcotics Control Strategy Report*, which includes information on financial crimes.

Section 5. Governmental Posture Towards International and Nongovernmental Monitoring and Investigation of Alleged Abuses of Human Rights

A variety of domestic and international human rights groups generally operated without government restriction to monitor, investigate, and publish their findings on human rights conditions or cases. Government officials were somewhat cooperative and responsive to their reports.

Government Human Rights Bodies: The Ombudsman Commission was responsible under the leadership code for investigating alleged misconduct and poor administration by governmental bodies, alleged discriminatory practices by any person or body, and alleged misconduct in office by leaders. Staffing constraints often delayed investigations and the completion and release of reports.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: Rape of women or men, including spousal rape, was a crime punishable by from 15 years' to life imprisonment.

Gender-based violence, including sexual violence, gang rape, and intimate-partner violence, was a serious and widespread problem. Although the law also criminalized family violence and imposed maximum penalties of two years' imprisonment and fines, it was seldom enforced. The law criminalized intimate-partner violence as well, but it nonetheless persisted throughout the country and was generally committed with impunity.

In January, Human Rights Watch's *World Report* stated that the country remained a dangerous place for women, with weak law enforcement fostering a culture of impunity. Police officials acknowledged police could not keep women and children safe and lacked resources for thorough investigations. In May, the Special Parliamentary Committee on Gender Based Violence revealed that in the country a woman was beaten every 30 seconds, and that 81 percent of the perpetrators were intimate partners of those beaten. The committee estimated that more than 1.5 million women experienced gender-based violence yearly.

Due to stigma, fear of retribution, and limited trust in authorities, most women did not report rape or domestic violence to authorities. Moreover,

most communities viewed intimate-partner violence as a private matter, further discouraging survivors from reporting the crime or pressing charges.

Those convicted of rape received prison sentences, but authorities apprehended and prosecuted few rapists. The legal system allowed village chiefs to negotiate the payment of compensation to survivors in lieu of trials for rapists. Anecdotal evidence suggested survivors and their families pursued tribal remedies, including compensation, in preference to procedures in official courts. Village and district courts often hesitated to escalate domestic matters to higher judicial levels. Village courts regularly ordered payment of compensation to an abused spouse's family rather than issue an order to detain and potentially charge the alleged offender.

On August 31, police sought the aid of the Public Prosecutor for the reindictment of three men charged with the May 2022 murder of Imelda Tupi Tiamanda. Tiamanda was found dead in her husband's vehicle at a police checkpoint in Southern Highlands Province. Those charged, including her husband, were released in September 2022 when a magistrate dismissed the charges, citing a lack of evidence.

In June, a woman was allegedly beaten to death by her husband, a soldier, for refusing to have group sex at Murray Barracks in Port Moresby. The Police Criminal Investigation Division charged the man with murder; as of November, he was in police custody. Violence committed against women by other women frequently stemmed from domestic disputes. In areas where

polygamy was customary, authorities charged women with murdering another of their husband's wives. Independent observers indicated approximately 90 percent of women in prison were convicted of attacking or killing their husband or another woman.

Other Forms of Gender-based Violence or Harassment: Customary bride price payments continued, legal under customary law. This contributed to the perception by many communities that husbands owned their wives and could treat them as chattel. In addition to being purchased as brides, women sometimes were given as compensation to settle disputes between clans. Sexual harassment was not illegal and was a widespread and severe problem. Women frequently experienced harassment in public locations and the workplace.

Discrimination: The law provided the same legal status and rights for women and men, including under family, religious, personal status, and nationality laws as well as in laws related to labor, property, inheritance, employment, access to credit, and owning or managing businesses or property. The law, however, was not effectively enforced, and although it banned discrimination based on gender in employment and wages, it explicitly precluded women from employment in certain occupations. It also designated certain civil service positions as open only to men or only to women and discriminated by gender in eligibility for certain job-related allowances.

Women faced severe inequalities in all aspects of social, cultural, economic, and political life. For example, women had limited access to credit, loans, and land, especially in rural areas where traditional patriarchal biases about women's roles and lack of government oversight were prevalent.

Village courts, which enforced customary law, tended to impose jail terms on women found guilty of adultery while penalizing men lightly or not at all. The law, however, required district courts to endorse village court orders for imprisonment before the imposition of the sentence, and judges frequently annulled such village court sentences.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Barriers that impeded access to contraception included low educational and literacy levels among women; religious beliefs; risk of gender-based violence; the belief that younger women, women not in a union, or unmarried women who had not given birth to a child should not use contraceptives; lack of training among health-care workers; and community gossip and discrimination. There was limited or no access to reproductive health-care services for vulnerable populations in rural areas.

The National Department of Health worked to strengthen Family Support Centers that provided counseling and support to survivors of gender-based violence and their families; emergency contraception was provided to those

survivors who wanted it on a case-by-case basis following counseling services.

According to the World Health Organization, the maternal mortality ratio in 2021 was 145 deaths per 100,000 live births due to factors including minimal access to maternal health services, the lack of health facilities and supplies, unmet needs for family planning and contraception, unsupervised deliveries, and sensitivities surrounding sexual and reproductive health. Of married women, 26 percent had an unmet need for family planning, seeking to stop or delay childbearing but not using any method of contraception; 65 percent of married women used modern contraceptive methods.

Systemic Racial or Ethnic Violence and Discrimination

Under the Human Rights Act, every person in the country enjoyed “the Right to Life, Freedom from Inhumane Treatment and the Right to Protection of the Law” regardless of nationality, race, or color. Although the laws provided for protection of members of racial and ethnic minority groups from discrimination, the government did not enforce them effectively.

No law prohibited discrimination in employment or occupation on the grounds of race, language, national origin, ethnicity, or refugee or stateless status. Migrant workers were vulnerable to discrimination; the International Labor Organization noted there were concerns about discrimination against certain ethnic groups, including Asian workers and

entrepreneurs.

Children

Birth Registration: Birth registration often did not occur immediately due to the remote locations in which many births took place. Failure to register did not generally affect access to public services such as education or health care.

Education: Education was not compulsory. There were many complaints that inadequate government funding led to overcrowded classrooms with too few teachers. Some schools did not receive promised government subsidies and reportedly closed as a result. Many schools charged fees despite the official free education policy. Only one-third of children completed primary school. Primary and secondary education completion rates tended to be slightly higher for boys than for girls. Access to menstrual health care was constrained culturally in most rural areas, causing many girls in rural areas to leave school, and was a financial problem for girls in urban centers. Recent reports, including a May 2022 UN report, confirmed girls were at high risk of sexual harassment in schools, which, in addition to girls' generally high risk of sexual violence and harassment, commercial exploitation, and HIV infection, posed serious threats to their education. Families of pregnant secondary school-age girls discouraged them from continuing their education until they gave birth; afterward, to

avoid social stigma and discrimination, the new mothers often did not return to school and instead pursued odd jobs to support their children.

Child Abuse: The laws against child abuse were rarely enforced. Initiatives such as the opening of Family Sexual and Violence Units within the police force remained limited.

According to the NGO Save the Children's report in November, approximately 70 percent of children suffered physical abuse and 50 percent faced family violence.

Child, Early, and Forced Marriage: The legal age for marriage was 18 for boys and 16 for girls. There were younger legal marriage ages (16 for boys and 14 for girls) with parental and court consent. In June, UNICEF reported 27 percent of girls in the country younger than 18 were married.

Customary and traditional practices allowed marriage of children as young as age 12, and early marriage was common in many traditional, isolated rural communities. Child brides frequently were taken as additional wives or given as brides to pay family debts and often served as domestic servants. Child brides were particularly vulnerable to domestic abuse, and there were no government prevention or mitigation efforts.

Sexual Exploitation of Children: The law prohibited the commercial sexual exploitation, sale, grooming, and sex trafficking of children. The law required a demonstration of force, fraud, or coercion to constitute a child

sex trafficking offense and therefore did not criminalize all forms of child sex trafficking. The law prohibited using, procuring, and offering a child for pornographic performances; penalties ranged from five to 15 years' imprisonment. The minimum age for consensual sex was 14. The maximum penalty for child rape was 25 years' imprisonment or, if the victim was younger than age 12, life imprisonment. Enforcement of the laws remained a problem.

There were cases of traffickers, including family members of victims, exploiting local and foreign children in sex trafficking, and NGOs noted the practice was common. There were also reports of traffickers exploiting children in the production of online commercial pornography.

The National Center for Missing & Exploited Children recorded approximately 12,000 cases of child sexual exploitation in 2022.

Antisemitism

There was a very small Jewish community in Port Moresby. There were no known reports of antisemitic incidents.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

Criminalization: The law criminalized “sexual penetration against the order of nature” and “gross indecency.” The maximum penalty for same-sex sexual relations was 14 years’ imprisonment, attempts to commit the offense were punishable by seven years’ imprisonment, and misdemeanor acts of “gross indecency” between men were punishable by three years’ imprisonment. The law was enforced. Criminalization reinforced negative societal views of lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) persons and made them vulnerable to physical abuse and discrimination by authorities and community members.

Violence and Harassment: Individuals affiliated with LGBTQI+ organizations reported societal violence against LGBTQI+ persons, which police declined to investigate. Additionally, according to Human Rights Watch, officials and employers sometimes used the law as a pretext to harass or extort money from LGBTQI+ persons, including refugees.

Discrimination: The law did not prohibit discrimination by state and nonstate actors based on sexual orientation, gender identity or expression, or sex characteristics. Local NGOs reported low levels of education and lack of advocacy for legal and policy reforms contributed to an increase in HIV

cases, social stigma, and discrimination against LGBTQI+ persons, particularly transgender persons.

There were no government reports of discrimination due to LGBTQI+ status, but according to observers, the scope of discrimination was difficult to measure due to LGBTQI+ individuals' fear of expressing themselves openly. The government did not monitor LGBTQI+ discrimination. Discrimination against LGBTQI+ persons, especially transgender individuals, remained widespread in health care, housing, personal safety, employment, education, family, and access to other social services. Societal discrimination against LGBTQI+ individuals prevented them from freely accessing health-care services.

Availability of Legal Gender Recognition: Legal gender recognition was not available.

Involuntary or Coercive Medical or Psychological Practices: There were no laws prohibiting or limiting so-called conversion therapy practices.

Australia-based NGO Many Coloured Sky reported in 2022 that forced or involuntary so-called conversion therapy was practiced on adults or minors. There were no efforts to condemn such practices.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly:

Although there were no formal restrictions in place, societal norms inhibited LGBTQI+ individuals from forming organizations and publicly discussing or

expressing their sexual orientation or gender identity.

Persons with Disabilities

The constitution prohibited discrimination against persons with physical or mental disabilities. Nevertheless, persons with disabilities faced discrimination in employment; education; and access to health care, transportation, and other state services. Most buildings and public infrastructure remained inaccessible for persons with disabilities. Children with disabilities attended school in disproportionately low numbers. Those with certain types of disabilities, such as amputees, attended school with children without disabilities, while those who were blind or deaf attended specialized schools. The government endorsed the use of sign language to communicate information about all government programs, although access to interpreters was limited. Public addresses by government officials had simultaneous sign language interpretation, as did all local television broadcast news programs.

The government provided free medical consultations and treatment for persons with mental disabilities, but such services were rarely available outside major cities.

The law did not protect persons with disabilities from discrimination in employment. Most persons with disabilities did not find training or work outside the family.

Other Societal Violence or Discrimination

Press reported vigilante killings across the country, in many cases related to alleged involvement in sorcery and witchcraft and typically targeting vulnerable persons, including young women, widows without sons, and the elderly.

Many believed perpetrators used claims of sorcery to mask inheritance disputes within or between clans and criminal violence (e.g., theft or revenge) against vulnerable members of the community. Reliable data on the matter remained elusive with estimates ranging from 30 to 500 fatal attacks per year. Police made no known arrests for sorcery-related violence as of October.

The Community Good program operated by the United Church in Hela Province reported approximately 72 sorcery-related cases during a three-week investigation in Koroba Kopiago District, Hela Province. According to a program report, approximately 85 percent of those attacked for alleged sorcery died, while 5 percent feared being tortured and committed suicides. In August, the Community Good program in Koroba Kopiago District, Hela Province, recorded more than 100 persons displaced due to sorcery-related violence.

Long-standing animosities among isolated tribes, a persistent cultural tradition of avenging perceived wrongs, and the lack of law enforcement

were factors underlying frequent violent tribal conflict in highland areas. Tribal fighting continued in Highlands mostly in Hela, Southern, and Enga Provinces. The number of deaths and IDPs resulting from such conflicts continued to rise due to the increased availability of modern weapons. In August, the police commissioner authorized the use of lethal force to combat violence following fighting among 10 tribes in Enga Province that resulted in 70 deaths in the previous few months.

There were conflicts between tribes or groups of tribes and the government and foreign investors over the development of mines and other extractive industries on traditional tribal lands.

According to the UN Office for the Coordination of Humanitarian Affairs, unofficial estimates placed the number of deaths from May to September in Enga, Hela and Southern Highlands Provinces at more than 300; approximately 25,700 students were unable to attend school, and approximately 557,800 persons had no or limited access to basic health services due to damaged facilities, lack of staff (who fled the violence), and disrupted supply chains and other effects of the violence. On July 27, the government deployed 120 troops to Porgera, Laiagam, and Kompiam Districts in Enga Province to secure state assets and enforce law and order.

In July, an ethnic clash in Enga Province killed 20 and caused millions of kina in damages, leading the provincial government to declare a three-month lock-down, closure of the airport, schools, and public offices and resulting in

additional delays in supplementary elections. Between October and November, tribal fighting and election-related violence increased throughout Enga Province as the supplementary elections concluded, leading to 70 deaths and the displacement of a few hundred persons.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provided for workers to form and join independent unions, bargain collectively, and conduct legal strikes. The government had limited influence over trade union formation and registration. The law required unions to register with the Department of Labor and Industrial Relations (Labor Department). An unregistered union had no legal standing and could not operate effectively.

Although the law provided for the right to strike, the government could, and often did, intervene in labor disputes, forcing arbitration before workers could legally strike or refusing to grant permission for a secret ballot vote on strike action. Some union leaders complained the Labor Department's refusal to allow for votes on strike action constituted undue government influence. By law the government had discretionary power to intervene in collective bargaining by canceling arbitration awards or declaring wage

agreements void when deemed contrary to government policy.

The law prohibited both retaliation against strikers and discrimination by employers against union leaders, members, and organizers. The law did not provide for reinstatement of workers dismissed for union activity. In cases of retaliation or unlawful dismissal for union activity, the court could fine an employer and could order the reinstatement of the employee and reimbursement of any lost wages. If an employer failed to comply with such directives, the court could order imprisonment or fines until the employer complied. Judicial proceedings were subject to lengthy delays.

The Labor Department was responsible for enforcing the law but did not do so effectively. Penalties were commensurate with those for other analogous violations. With two labor inspectors allocated per province and inadequate resources, inspectors usually monitored and enforced the law on an ad hoc basis. The Labor Department did not always act to prevent retaliation against strikers or protect workers from antiunion discrimination, which remained widespread in the logging sector and in state-owned enterprises. Observers attributed its ineffectiveness to insufficient manpower and resources. Neither government nor civil society reported whether penalties were regularly applied against violators of laws protecting freedom of association and collective bargaining.

Unions were generally independent of both the government and political parties, whose influence diminished from previous years. Employees of

some government-owned enterprises went on strike on several occasions, primarily to protest privatization policies, terminations, and appointments of managers or board members, or in pay disputes.

b. Prohibition of Forced or Compulsory Labor

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/>.

d. Discrimination (see section 6)

e. Acceptable Conditions of Work

Wage and Hour Laws: The law provided for a minimum wage for all sectors, which was above the official poverty level estimate. The law regulated minimum wage levels, allowances, rest periods, holiday leave, and overtime work. The law limited the workweek to 42 hours per week in urban areas and 44 hours per week in rural areas, and it provided for premium pay for overtime work.

Occupational Safety and Health: The government set appropriate occupational safety and health (OSH) standards and was required by law to inspect work sites on a regular basis. The law did not specify protection for employees who sought to remove themselves from conditions they deemed hazardous. In the case of a second or subsequent violation of wage or safety and health law, the employer was liable to a fine for each day or part of each day during which the offense continued. When an employer failed to obey an order, direction, or requirement, the court could order imprisonment until the directive was obeyed.

Wage, Hour, and OSH Enforcement: The government did not effectively enforce minimum wage, overtime, and OSH law and rarely responded to worker complaints. Penalties were not commensurate with those for similar crimes, such as fraud or negligence. Penalties were rarely applied against violators. The Labor Department was responsible for enforcing minimum wage, work hours, and OSH laws. The number of labor inspectors was likely insufficient to enforce compliance. Inspectors had the authority to make unannounced visits and levy sanctions.

In August, the Ministry for Labor and Employment established a committee to review the country's minimum wage.

Violations of wage, overtime, and OSH law and regulations were common in the logging, mining, agricultural, and construction sectors due to the government's lack of enforcement capacity and corruption. The logging

industry in particular was known for extremely low wages and poor working conditions, including cramped and unhygienic worker housing. Workers in the mining sector were also subjected to hazardous and exploitative conditions, including exposure to toxic metals such as mercury. The government did not report whether OSH experts actively identified unsafe conditions.

An estimated 80 percent of the country's workforce was employed in the unregulated informal sector, primarily in subsistence agriculture and informal sales of betel nut, cigars, basic groceries, arts and crafts, and garments. Informal sector workers were not covered by wage, hour, OSH, and other labor laws and inspections.