

Papua New Guinea

Country:

Papua New Guinea

Year:

2016

Freedom Status:

Partly Free

Political Rights:

4

Civil Liberties:

3

Aggregate Score:

59

Freedom Rating:

3.5

Overview:

In 2015, corruption allegations levied against Prime Minister Peter O'Neill continued to roil politics in Papua New Guinea. In 2014, an anticorruption body known as Taskforce Sweep brought allegations of wrongdoing against O'Neill, involving \$28 million in government fees paid to a private law firm. An arrest warrant for O'Neill was issued that year, but police commissioner Geoffrey Vaki refused to execute it. Throughout 2015, O'Neill continued to fight a referral to a leadership tribunal to answer charges of wrongdoing.

In June 2015, Vaki was found guilty of contempt for obstructing the 2014 arrest warrant against O'Neill, and was later sentenced to three years in jail. A series of subsequent arrests and dismissals during the second half of 2015 targeted police and other officials who had been involved in the corruption case against O'Neill. The government officially defunded Taskforce Sweep in November.

Meanwhile, controversy persisted over the country's agreement with Australia regarding asylum seekers, under which migrants and refugees from third-party countries that reach Australia are sent to an Australian-run detention center on Manus Island, where their asylum applications are processed. In September 2015, authorities removed asylum seekers' right to appeal decisions on their asylum applications. The move came as advocates for asylum seekers were seeking a permanent injunction against the government's ability to repatriate them.

In July, O'Neill banned the hiring of foreign advisors to the government, with exemptions for the police, defense force, universities, and state-owned enterprises. O'Neill said the measure was necessary to protect against spies and to ensure that policies were made in the country's best interest. The ban will take effect beginning in 2016.

Political Rights and Civil Liberties:

Political Rights: 23 / 40 [Key]

A. Electoral Process: 9 / 12

Voters elect a unicameral, 111-member National Parliament to serve five-year terms. A limited preferential voting system allows voters to choose up to three preferred candidates on their ballots. The governor-general, who represents the United Kingdom's monarch as head of state, formally appoints the prime minister, who leads the majority party or coalition in the legislature.

The 2012 parliamentary elections were generally considered free and fair. The People's National Congress Party (PNC) won 27 seats, independents won 16 seats, the Triumph Heritage Empowerment Party (THE) won 12 seats, and 19 small parties shared the remainder. O'Neill, head of the PNC, was elected prime minister. His PNC-led coalition gives him commanding control of the National Parliament, allowing him to fight off several opposition attempts to unseat him with no-confidence motions.

In September 2015, the Supreme Court overturned a 2013 law, which had been backed by O'Neill's PNC, that prohibited parliamentary no-confidence motions for 30 months following an election, up from 18 months previously.

B. Political Pluralism and Participation: 10 / 16

There are numerous political parties, but political loyalties are mostly driven by tribal, linguistic, geographic, and personal ties. Many candidates run as independents, and align with parties after they are elected. Lawmakers frequently switch affiliations and alliances.

A 2005 agreement ended a civil war in Bougainville and provided for an independence referendum to be held between 2015 and 2020. The Autonomous Bougainville Government (ABG) launched its own civil service in 2014 in preparation for the possibility of becoming an independent nation. Incomplete or outdated voter rolls marred voting at several locations in the May 2015 elections for ABG president, but there were no reports of violence. President John Momis was re-elected. Momis has proposed that the independence referendum be held in 2019.

C. Functioning of Government: 4 / 12

Pervasive corruption is the biggest hindrance to development. The country's anticorruption bureaucracies are subject to political interference. In November 2015, the parliament passed legislation that established a new Independent Commission Against Corruption to replace the Taskforce Sweep, which was officially defunded in the country's 2016 budget, passed the same month. In previous months, Taskforce Sweep's officials had claimed that the government was not providing it with funding that had been set aside for it.

In February 2015, officials launched a new national identification system intended to clean up voter rolls and inform development and funding of economic and social programs. Papua New Guinea ranks 139 out of 168 countries and territories in Transparency International's 2015 Corruption Perceptions Index.

Civil Liberties: 36 / 60

D. Freedom of Expression and Belief: 12 / 16

Freedom of speech is generally respected. Local media provide independent coverage of controversial issues such as alleged police abuse, official corruption, and opposition views. However, the government and politicians have occasionally used media laws and defamation lawsuits to restrict critical reporting. The government also restricts media access to the detention center for asylum seekers on Manus Island. Internet use is growing, but high costs and lack of infrastructure limit its spread outside urban centers. The Office of Censorship was established by the 1989 Classification of Publication (Censorship) Act, and is tasked with monitoring and regulating information traffic. In January 2015, the office said it would spend \$1.5 million on technology to block access to pornographic websites. In October, the government proposed cybercrime legislation requiring the registration of all mobile phones and their users. The bill is expected to pass in the 2016 legislative session.

There were no reports of suppressions against religious freedom. Academic freedom is generally respected.

E. Associational and Organizational Rights: 9 / 12

The constitution provides for freedoms of assembly and association. Marches and demonstrations require 14 days' notice and police approval. Many civil society groups provide social services and advocate for women's rights, the environment, and other causes. The government recognizes workers' rights to strike, organize, and engage in collective bargaining. The government has frequently imposed arbitration in labor disputes to avert strikes. In July 2015, port workers went on a 24-hour strike to demand higher wages.

F. Rule of Law: 7 / 16

The judiciary is generally independent, but successive governments have exerted political pressure on the court system. The Supreme Court is the final court of appeal and has jurisdiction on constitutional matters. A shortage of trained judicial personnel is a key cause of lengthy detentions and trial delays. Laypeople sit on village courts to adjudicate minor offenses under customary and statutory law.

Law enforcement officials have been implicated in corruption, unlawful killings, extortion, rape, theft, and brutality, in addition to being largely ineffective in curbing mob violence, tribal warfare, and other crimes. In January 2015, the country's former military commander called the police force incompetent, while the police association's head in February called for the termination of the entire police leadership. In November, ten soldiers attacked a police station in connection with a dispute between the two forces. Separately, in July, three Australian guards at the Manus detention center were accused of raping local women. They were subsequently flown to Australia; O'Neill called on Canberra to return them to Papua New Guinea to stand trial.

Prison conditions are poor, and the correctional service is understaffed. Prison breaks are common. Capital punishment was reinstated in 2013 in an effort to curb violent crime. In 2014, the government approved lethal injection, firing squad, and hanging as permissible methods of execution. But with no infrastructure for execution, 13 prisoners remained on death row. In May 2015, O'Neill said capital punishment would be reviewed after he saw that executions of foreign nationals in Indonesia brought notoriety to and caused diplomatic tensions for Jakarta.

Lack of economic opportunities exacerbates tribal rivalries, frequently resulting in violent clashes, injuries, and deaths. Resentment toward the rapid spread of Chinese-owned businesses and their import of Chinese workers has resulted in many violent attacks. In July 2015, a march against a proposed industrial zone in Madang Province turned violent, resulting in the death of one person and significant looting of foreign-owned businesses.

Controversy persists over the country's agreement with Australia regarding asylum seekers, in which a number of migrants from third-party countries that reach Australia are sent to an Australian-run detention center in Papua New Guinea, where their asylum applications are processed. Those granted refugee status could choose to settle in Papua New Guinea or return to their home countries. Opposition lawmakers have challenged the legality of the arrangement, and while local authorities and communities have demanded a bigger share of funds from Australia. Detainees complain about abuse and poor living conditions in the facilities, as well as of delays in immigration processing. In January 2015, many detainees went on hunger strike to protest poor conditions, but the strike reportedly ended after its leaders were arrested. Detainees and their advocates have used the courts to petition against Canberra's hard-line policies and gain entry to Australia. In September, authorities removed asylum seekers' right to appeal decisions on their asylum applications. The move came as advocates for asylum seekers were seeking a permanent injunction against the government's ability to repatriate them.

Same-sex sexual relations are a criminal offense, but the relevant laws are rarely enforced. No laws protect against discrimination or hate crimes.

G. Personal Autonomy and Individual Rights: 8 / 16

Natural-resource exploitation provides the bulk of government revenue, making the country's economy vulnerable to fluctuations in mineral and energy prices. The sharing of revenue is a key source of tension between the national government and local landowners and authorities. The government created a sovereign wealth fund in July 2015 that will receive revenues from mineral and petroleum resource development.

Laws to fight family violence and protect victims are ineffective and are hardly enforced. Discrimination and violence against women and children are widespread. Victims rarely file reports and convictions are even more rare. A 2013 UN survey found that 61 percent of men in Papua New Guinea surveyed self-reported to have raped someone at least once. Allegations of sorcery—rooted in superstitions or used as an excuse for personal vendettas—have made women targets of violence.

Rapid population growth, widespread poverty, low literacy, and poor governance help to explain concerning rates of HIV and tuberculosis infection. In 2015, the O'Neill government had made some meaningful improvements, including better enforcement of the minimum legal age for marriage for women, a new policy to slow population growth, and a new child welfare law.

The government does not actively prosecute human traffickers, and efforts to identify victims are inadequate. Women and girls are at risk of being trafficked for the purpose of forced labor and prostitution. Boys and men can be found engaged in forced labor in the fishing and mining sectors. Traditional practices among some populations permit young girls to be sold into marriage in order to settle debts.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

Full Methodology

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