Statement

by

H.E. Mr Robert G. Aisi
Permanent Representative

of

Papua New Guinea to the United Nations

at the

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Third Committee 34th Meeting on the
Promotion and Protection of Human Rights

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Mr Chairman,

I thank the Special Rapporteurs and representatives for their respective briefings on human rights situations and note the sobering realities as presented in their various reports as well as the constructive proposals to further safeguard and improve human rights. We thank them for their commendable efforts.

Papua New Guinea whilst cognizant of the sovereign rights of UN Member States to decide on visitors to the country for official and other purposes, is supportive of the appeal made yesterday by the Special Rapporteur on the rights to freedom of peaceful assembly and of association, for UN Member States to permit Special Rapporteurs to visit and undertake objective and independent assessment of human rights situations to minimize misconceptions and misunderstandings that continue to be a source of contention.

For Papua New Guinea, in the last three years, we have invited and hosted two visits by the Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 2010 and the Special Rapporteur on Violence Against Women, its Causes and Consequences in March 2012. In December this year, we will host the Special Rapporteur on Arbitrary Arrests and Extrajudicial Killings, Mr Christof Heynes, and look forward to welcoming and working closely with him.

Mr Chairman,

In this Committee last week, we responded to the recommendations made to my Government by the Special Rapporteur on Violence Against Women, its Causes and Consequences. We also noted that the issues raised by the Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment continue to be addressed by my Government.

The enhancement of human rights remains a priority for my Government in the context of our national development. In our view, the constructive engagement of the Special Rapporteurs on human rights continues to add value to further strengthening the protection and promotion of human rights.

In fact, in many ways, also adding to reinforcing the relevant provisions in our Constitution that promulgates human rights preservation and advancement.

However, a key challenge that Papua New Guinea notes in the context of the Special Rapporteurs findings is the requisite follow up by the United Nations and the Special Rapporteurs to continue assisting us to effectively implement those recommendations that require technical support. In our view, this needs to be improved.

We also note that there is a need for the United Nations and the Special Rapporteurs to ensure that UN Member States, especially from developing countries like ours, are not over burdened by the reporting and other administrative requirements given our capacity constraints.
We therefore propose that visits by Special Rapporteurs are appropriately timed so that recommendations from previous visits are adequately addressed as these have budgetary, legal and administrative implications.

Mr Chairman,

We have heard a number of speakers over the past days discuss the issue of the application of domestic laws in certain countries relating to the death penalty.

Papua New Guinea is now working towards putting in place appropriate administrative arrangements for the future possible application of the death penalty, which is an integral and valid law in our penal code.

This also takes into account our obligations under various international human rights instruments that we are a Party to, including the International Covenant on Civil, Political and Cultural Rights but not its Optional Protocol.

The application of the death penalty will follow the due process of law as required under our Constitution and not be administered arbitrarily. The Death Penalty in Papua New Guinea is only applicable to the most heinous of crime as a recourse that is available to the Courts with competent jurisdiction within our independent Judicial system. Interestingly, I would add that the last convict to be sentenced to death was during our colonial administration’s reign, nearly half a century ago.

Mr Chairman,

Over the past several months Papua New Guinea has received demarches and representations made to my Government by our bilateral and multilateral development partners, civil society members and NGOs to dissuade us from making sovereign decisions concerning our national interests. These are unwelcomed and a blatant interference in our sovereign national jurisdiction.

My Delegation would like to remind this meeting that Article 2.1 and 2.7 of the United Nations Charter unequivocally recognize Member States sovereign equality and the fundamental principle of non-interference and I quote “in matters which are essentially the domestic jurisdiction of any state.” (End of quote). Ultimately, the decision to make, retain, apply or abolish the Death Penalty is the sole prerogative of a sovereign State and no one else.

Thank you.