



Papua New Guinea  
Submission to the UN Universal Periodic Review  
53<sup>th</sup> Session of the UPR Working Group

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**Submission by CIVICUS: World Alliance for Citizen Participation,  
NGO in General Consultative Status with ECOSOC**

**And**

**Pacific Islands Association of Non-Government Organisations (PIANGO)  
(ECOSOC Status)**

**And**

**Transparency International PNG**

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**CIVICUS: World Alliance for Citizen  
Participation**

CIVICUS UPR Lead, Josef Benedict  
Email: [josef.benedict@civicus.org](mailto:josef.benedict@civicus.org)

Olimjon Bakhtaliev  
Email: [olimjon.bakhtaliev@civicus.org](mailto:olimjon.bakhtaliev@civicus.org)

Tel: +41 22 733 3435  
Web: [www.civicus.org](http://www.civicus.org)

**PIANGO Lead, Emeline Siale Ilohahia**

Email: [siale@piango.org](mailto:siale@piango.org)

Tel: +679 3300060

Web: [www.piango.org](http://www.piango.org)

**Transparency International PNG Lead,  
Arianne Kassman**

Email:

[arianne.kassman@transparencypng.org.pg](mailto:arianne.kassman@transparencypng.org.pg)

Tel: +675 3234917

Web:

[www.https://www.transparencypng.org.pg/](https://www.transparencypng.org.pg/)

## **1. Introduction**

- 1.1** CIVICUS is a global alliance of civil society organisations (CSOs) and activists dedicated to strengthening citizen action and civil society around the world. Founded in 1993, CIVICUS has members in over 180 countries throughout the world.
- 1.2** The Pacific Island Association of Non-Government Organisations (PIANGO) is a regional body of member national umbrella CSOs in 24 countries and territories of the Pacific Islands region. Formed in 1991, PIANGO strengthens CSOs to initiate action, give voice to their concerns and influence policies for just and sustainable development for Pacific peoples.
- 1.3** Transparency International Papua New Guinea (TIPNG) is the Papua New Guinea (PNG) national chapter of the global Transparency movement. Since its incorporation in 1997, TIPNG has worked to empower people in PNG to take action against corruption wherever it is encountered. As the country's leading civil society voice on anti-corruption, TIPNG works with citizens and institutions to advocate for transparency and accountability within the rule of law in PNG.
- 1.4** In this submission, CIVICUS, PIANGO and TIPNG examine the Government of PNG's compliance with its international human rights obligations to create and maintain a safe and enabling environment for civil society. We analyse PNG's protection and promotion of the rights to freedoms of association, expression and peaceful assembly and unwarranted restrictions on activists and human rights defenders (HRDs) since its previous UPR examination in November 2021. To this end, we assess PNG's implementation of recommendations received during the 3<sup>rd</sup> UPR cycle relating to these issues and provide follow-up recommendations.
- 1.5** During the 3<sup>rd</sup> UPR cycle, the Government of PNG received four recommendations relating to the space for civil society (civic space), which it supported. However, an evaluation of a range of legal sources and human rights documentation addressed in this submission demonstrates that PNG only partly implemented these recommendations.
- 1.6** PNG has failed to establish a national human rights institution despite nine recommendations to do so by member states at the last review.<sup>1</sup>

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<sup>1</sup> Recommendations 144.33-144.43, Report of the Working Group on the Universal Periodic Review: Papua New Guinea, A/HRC/49/11/Add.1, 22 March 2022.

- 1.7** We are concerned about the harassment and intimidation of HRDs and journalists for undertaking their work or for their peaceful expression.
- 1.8** We are also alarmed that the government continues to use the Cybercrime Act to criminalise online expression and apply restrictions on the media, and that the government has yet to pass right to information (RTI) legislation.
- 1.9** As a result of these issues, civic space in PNG is currently classified as obstructed by the CIVICUS Monitor, indicating the existence of significant civic space restrictions.<sup>2</sup>
- Section 2 of this submission examines PNG's implementation of UPR recommendations and compliance with international human rights standards concerning freedom of association.
  - Section 3 examines PNG's implementation of UPR recommendations and compliance with international human rights standards related to the protection of civil society activists, HRDs and journalists.
  - Section 4 examines PNG's implementation of UPR recommendations and compliance with international human rights standards concerning freedom of expression, media freedom and access to information.
  - Section 5 examines PNG's implementation of UPR recommendations and compliance with international human rights standards related to freedom of peaceful assembly.
  - Section 6 contains recommendations to address the concerns raised and advance implementation of recommendations under the 3<sup>rd</sup> cycle.
  - Section 7 is an annex on the implementation of 3<sup>rd</sup> cycle UPR recommendations related to civic space.

## **2. Freedom of association**

- 2.1** During PNG's examination under the 3<sup>rd</sup> UPR cycle, the government did not receive any recommendations on the right to freedom of association or the enabling environment for CSOs.
- 2.2** Article 47 of the PNG Constitution states that: 'Every person has the right peacefully to assemble and associate and to form or belong to, or not to belong to, political parties, industrial organisations or other associations, except to the extent that the exercise of that right is regulated or restricted by a law'.<sup>3</sup>

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<sup>2</sup> CIVICUS Monitor: Papua New Guinea, <https://monitor.civicus.org/country/papua-new-guinea>.

<sup>3</sup> 'Papua New Guinea's Constitution of 1975 with Amendments through 2016', Constitute Project, 19 February 2021, [https://www.constituteproject.org/constitution/Papua New Guinea 2016.pdf?lang=en](https://www.constituteproject.org/constitution/Papua%20New%20Guinea%202016.pdf?lang=en).

- 2.3** The Associations Incorporation Act 2023 regulates the formation of CSOs in PNG.<sup>4</sup> The Act applies to all forms of associations, including charitable and not-for-profit organisations and sporting and social clubs. It establishes two association categories: public benefit association, formed for charitable purposes, and members benefit associations, formed for the benefit of their members. It includes detailed application and public notice processes for the incorporation of new associations. It also includes provisions allowing for the registration of foreign charities, NGOs and religious organisations that want to operate in PNG.<sup>5</sup>
- 2.4** A government and civil society partnership policy has been drafted. This policy recognises CSOs as vital partners in national development. It establishes a framework for collaboration between the government and CSOs to enhance service delivery and development initiatives in remote areas.<sup>6</sup> However, civil society groups are concerned the policy could lead to state capture of CSOs and have provided extensive feedback and formal submissions calling for revisions.<sup>7</sup>
- 2.5** Numerous CSOs operate in PNG, including groups working on environmental and land issues and gender-based violence, as well as some that provide social services. Most operate freely without any serious constraints on their activities. Informal groups such as community, religious and women’s groups are also able to operate. Often informal groups come together in response to development projects or resource extraction activities that affect communities.<sup>8</sup>
- 2.6** Funding for civil society is relatively accessible, with support from international donors, local contributions and private foundations, and government support in some cases. The current PNG tax regime allows for non-profit organisations to receive refunds for Goods and Services Tax on expenditures.<sup>9</sup>

### **3. Harassment, intimidation and attacks against civil society activists, human rights defenders and journalists**

- 3.1** Under PNG’s previous UPR examination, the government received two recommendations on the protection of civil society activists, HRDs and journalists.

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<sup>4</sup> ‘Associations Incorporation Act 2023’, Pacific Islands Legal Information Institute, [https://www.paclii.org/pg/legis/num\\_act/aia2023307.pdf](https://www.paclii.org/pg/legis/num_act/aia2023307.pdf).

<sup>5</sup> ‘Overview of the new PNG Associations Incorporation Act 2023’, Pacific Legal Network, <https://www.pln.com.pg/single-post/overview-of-the-new-png-associations-incorporation-act-2023>.

<sup>6</sup> ‘Papua New Guinea Government and Civil Society Organisation Partnership Policy (2024 – 2034)’, Department For Community Development & Religion, [https://static1.squarespace.com/static/5ef435f59464ea6f5ac60c01/t/6704b79cfed04425a82ccd77/1728362405342/GoPNG-CSO+Partnership+Policy\\_09092024.pdf](https://static1.squarespace.com/static/5ef435f59464ea6f5ac60c01/t/6704b79cfed04425a82ccd77/1728362405342/GoPNG-CSO+Partnership+Policy_09092024.pdf).

<sup>7</sup> Information from civil society partners, February 2026.

<sup>8</sup> Consultation with civil society activists, January 2026.

<sup>9</sup> ‘Enabling Environment Snapshot Papua New Guinea June 2025’, EU SEE 2025, [https://eusee.hivos.org/assets/2025/09/PNG-Baseline-Enabling-Environment-Snapshot-final1\\_edited-JW.pdf](https://eusee.hivos.org/assets/2025/09/PNG-Baseline-Enabling-Environment-Snapshot-final1_edited-JW.pdf).

The government was urged to ‘guarantee the participation of civil society, and its equality of treatment and the diversity of its representation, in the development of climate and environmental policies’ and ‘review regulations that have the effect of limiting the exercise of those rights and freedoms and persecuting their defenders’. The government supported both recommendations but has only partly implemented them.

- 3.2** Article 12 of the UN Declaration on Human Rights Defenders mandates states to take the necessary measures to ensure the protection of HRDs. However, in spite of these protections, harassment and intimidation of HRDs has been documented.
- 3.3** There have been recommendations to establish a national human rights institution, which could play an important role in protecting HRDs, since the first UPR cycle in 2011. However, there has been a lack of progress in implementing this recommendation. Nevertheless, the inclusion of its establishment in the PNG Strategic Plan on Human Rights 2024-2029 has created momentum towards its formation.<sup>10</sup>
- 3.4** HRDs in PNG work on a range of issues. This includes anti-corruption, environmental and land rights, freedom of information and women’s rights, particularly in relation to sorcery and witchcraft accusations. Some have participated in shaping climate and environmental policies. However, HRDs who challenge vested economic, political and social interests, including environmental activists and sexual orientation and gender identity rights defenders, are often at risk. Women HRDs have reported facing misogynistic and gendered hate speech, stalking and threats online and offline from perpetrators of gender-based violence.<sup>11</sup> In 2022, the UN held discussions with civil society on the development of an HRD protection bill.<sup>12</sup> However, there has been no progress reported on this since.
- 3.5** Our organisations have documented incidents where the authorities have arrested and detained HRDs. On 9 December 2024, police arrested HRD and ACT NOW! Campaign Manager Eddie Tanago, initially under section 21(2) of the Cybercrime Act 2016, for allegedly ‘publishing defamatory remarks’ on social media about the Managing Director of the PNG Forest Authority (PNGFA). ACT NOW!, a prominent human rights organisation seeking to halt illegal logging and related human rights violations in PNG, had reshared a Facebook post from a radio station advertising an interview with staff members that included a photo of the managing director. The repost included a comment raising questions about forest enforcement. Police took Tanago to the Boroko Police Station Holding cell before releasing him on bail the same

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<sup>10</sup> ‘PNG Strategic Plan on Human Rights 2024-2029’, Department of Justice and Attorney General.

<sup>11</sup> Consultation with civil society activists, op. cit.

<sup>12</sup> “‘It’s Going To Protect Our Lives” – in Papua New Guinea, Human Rights Defenders Welcome Draft Protection Bill’, Spotlight Initiative, 4 April 2022, <https://www.spotlightinitiative.org/news/its-going-protect-our-lives-papua-new-guinea-human-rights-defenders-welcome-draft-protection>.

afternoon. On 24 January 2025, Tanago was charged instead under section 15(b) of the Cybercrime Act for 'identity theft'. In April 2025, charges were dismissed.<sup>13</sup>

- 3.6** On 23 November 2024, police detained and charged gender activist Henna Joku under the Cybercrime Act following defamation complaints filed by her former partner, Robert Agen. Joku, a survivor of a 2018 assault by Agen, had documented and shared her six-year journey through the PNG justice system, which had resulted in his conviction and jailing in 2023. Police charged Joku with two counts of breaching the Cybercrime Act and detained her in Boroko Prison, releasing her the same day after bail was posted.<sup>14</sup>
- 3.7** Journalists have also been targeted. In August 2023, journalist Gwendella Rea and a camera operator with the National Broadcasting Corporation were injured after being shot in 9-Mile village, near the capital, Port Moresby.
- 3.8** Job dismissals and suspensions have been used as a reprisals for critical reporting. Supporters of Nick Kuman, a former member of parliament, harassed and threatened a female journalist with The National outlet outside the Waigani Courthouse in September 2022. They took away her phone and told her outlet had 'spoiled the name of Nick Kuman' and should stop reporting on his case.<sup>15</sup>
- 3.9** In February 2022, journalist Sincha Dimara was suspended for three weeks without pay by EMTV management a subsidiary of Media Niugini Limited, a state owned body. The Media Council of PNG, a media self-regulation body, said the suspension was due to EMTV coverage of the rearrest of an Australian hotel manager and added that it was an act of intimidation by the interim CEO and management of Media Niugini Ltd in the face of political influence, amounting to 'suppression of a free media in the country'.<sup>16</sup>
- 3.10** Culligan Tanda, a prominent radio host from a state-owned media company, was suspended and then sacked after interviewing an opposition figure. The FM100 talk host had featured opposition parliamentarian Allan Bird on his show. Tanda was reportedly suspended without pay in April 2025 and subsequently had his employment terminated. FM100 is part of Telikom PNG Limited, a state-owned media

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<sup>13</sup> 'PNG Court Dismisses Controversial Cyber Crime Charges Against Human Rights Activist', ABC Pacific Beat, 10 April 2025, <https://www.abc.net.au/pacific/programs/pacificbeat/png-cyber-un/105159606>.

<sup>14</sup> 'Papua New Guinea: cybercrime law used to criminalise expression as government proceeds with restrictive media policy', CIVICUS Monitor, 10 February 2025, <https://monitor.civicus.org/explore/papua-new-guinea-cybercrime-law-used-to-criminalise-expression-as-government-proceeds-with-restrictive-media-policy>.

<sup>15</sup> 'Journalists Attacked', The National, 30 September 2022, <https://www.thenational.com.pg/journalists-attacked>.

<sup>16</sup> 'Media Council condemns EMTV over 'dangerous' suspension of news chief', Asia Pacific Report, 9 February 2022, <https://asiapacificreport.nz/2022/02/09/media-council-condemns-emptv-over-dangerous-suspension-of-news-chief>.

company. A week after Culligan was sacked, young journalist James Guken, who worked for EMTV news, was also dismissed after he reported a story about Bird taking the government to the Supreme Court. Guken was fired immediately without being given a reasonable reason for the sacking or a chance to defend himself.<sup>17</sup>

**3.11** There are also concerns that HRDs and journalists are at risk of strategic litigation against public participation (SLAPPs).<sup>18</sup>In July 2024, two Malaysian-owned logging companies obtained an order from the district court in Vanimo preventing ACT NOW! from issuing publications about their activities and contacting their clients and service providers. ACT NOW! said the action by Global Elite Limited and Wewak Agriculture Development Limited, both part of the Giant Kingdom group, were abusive and illegitimate lawsuits designed to harass, intimidate and silence legitimate criticism and close down public scrutiny of the logging industry. In January 2025, the National Court stayed the injunction.<sup>19</sup>

#### **4. Freedom of expression, media freedom and access to information**

**4.1** Under the 3<sup>rd</sup> UPR cycle, the PNG government received two recommendations relating to the rights to freedom of expression, media freedom and access to information, including recommendations to ‘consider reviewing current legislation on access to information, with the aim of strengthening, both online and offline, the rights to privacy, to freedom of expression’ and to ‘introduce legislation on access to information that is in line with international standards’. The government supported both recommendations but has not implemented them.

**4.2** Article 19 of the International Covenant on Civil and Political Rights, to which PNG is a state party, guarantees the rights to freedoms of expression and opinion. Article 46 of PNG’s constitution contains strong safeguards to promote and protect the right to freedom of expression. It states that: ‘Every person has the right to freedom of expression and publication. This includes the freedom to hold opinions, to receive ideas and information and to communicate ideas and information, whether to the public generally or to a person or class of persons; and freedom of the press and other mass communications media’.<sup>20</sup> At the same time freedom of expression is subject to

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<sup>17</sup> ‘Papua New Guinea: Facebook briefly blocked, journalists sacked while concerns increase about lawsuits to silence expression’, CIVICUS Monitor, 9 July 2025, <https://monitor.civicus.org/explore/papua-new-guinea-facebook-briefly-blocked-journalists-sacked-while-concerns-increase-about-lawsuits-to-silence-expression>.

<sup>18</sup> ‘Media Council Warns Against Rising Tide of SLAPP Lawsuits in PNG’, Islands Business, 27 March 2025, <https://islandsbusiness.com/news-break/media-council-warns-against-rising-tide-of-slapp-lawsuits-in-png>.

<sup>19</sup> ‘Court stays logging company SLAPP law suit against ACT NOW!’, Act Now, 17 January 2025, <https://actnowpng.org/blog/create-blog-entry-334>.

<sup>20</sup> ‘Papua New Guinea’s Constitution of 1975 with Amendments through 2016’, op. cit.

limitations established by acts of parliament or any other form of legislation, including regulations and by-laws.

- 4.3** PNG is ranked 78th on the 2025 Reporters Without Borders press freedom index. The country's two daily newspapers are foreign-owned: The National is owned by Malaysian logging multinational Rimbunan Hijau and the Post-Courier is owned by News Corp, the media group led by Australian-US billionaire Rupert Murdoch and local investors. According to Reporters Without Borders, PNG offers a relatively protective legislative environment for press freedom, but questions are often raised about media independence. Journalists face bribery attempts, censorship, direct threats, intimidation and lawsuits, making it a dangerous profession. Direct interference often threatens the editorial freedom at leading media outlets.<sup>21</sup>
- 4.4** Concerns have been raised about a National Media Policy introduced in 2025.<sup>22</sup> Journalists said that the media development policy could lead to more government control over PNG's relatively free media. The policy includes sections that give the government power to investigate complaints against media outlets, issue reporting guidelines and apply sanctions or penalties for what it deems violations of professional standards. There are concerns the policy will punish journalists who create content seen to be against PNG's development objectives. The PNG Media Council expressed further concern, warning the policy<sup>23</sup> could undermine media freedom and diminish the role of the media to hold those in power to account.<sup>24</sup>
- 4.5** There have been ongoing concerns about press freedom under the government of Prime Minister James Marape, which came to power in 2019. Marape has been increasingly critical of the media since his re-election in 2022. In August 2022, Marape's office published a full-page public notice in the National and the Post-Courier, informing journalists it will no longer engage in direct correspondence with domestic or international journalists and media practitioners, and they should direct their questions to the appropriate government ministries instead.<sup>25</sup>

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<sup>21</sup> Papua New Guinea, Reporters Without Borders, <https://rsf.org/en/country/papua-new-guinea>.

<sup>22</sup> 'National Media Development Policy 2024', <https://www.ict.gov.pg/wp-content/uploads/2024/12/NMDP-2024-NEC-Approved-Clean-011124-2-1.pdf>.

<sup>23</sup> 'Cybercrime Law used to criminalise expression while concerns remain around proposed media law', CIVICUS Monitor, 12 March 2024, <https://monitor.civicus.org/explore/papua-new-guinea-cybercrime-law-used-to-criminalise-expression-while-concerns-remain-around-proposed-media-law>.

<sup>24</sup> 'Papua New Guinea's draft media policy is an attempt to legitimise government control over journalists', The Guardian, 21 February 2023, <https://www.theguardian.com/world/commentisfree/2023/feb/22/papua-new-guineas-draft-media-policy-is-an-attempt-to-legitimise-government-control-over-journalists>.

<sup>25</sup> 'Papua New Guinea's New Media Rules Could Undermine The Work Of Journalists', Global Voices, 30 September 2022, <https://globalvoices.org/2022/09/30/papua-new-guineas-new-media-rules-could-undermine-the-work-of-journalists>.

- 4.6** In September 2022, the government announced several requirements for entry into the country for foreign journalists that could make it harder for them to do so. Foreign journalists must now seek permits from several offices including the Department of Foreign Affairs, the PNG Immigration and Citizenship Authority, the PNG National Filming Institute and the Prime Minister’s Department.<sup>26</sup>
- 4.7** In June 2023, the Speaker of Parliament decided to limit the areas of parliament media can access. Journalists are now restricted to the press gallery and cannot move around the building in search of news.<sup>27</sup>
- 4.8** In August 2024, a journalist from Benar News was excluded from a media briefing with Marape and Indonesia’s President-elect Prabowo Subianto in Port Moresby. PNG reporter Harlyne Joku was denied entry at Jackson’s International Airport to cover Prabowo’s arrival, despite being accredited to cover the event by the Department of Foreign Affairs and Department of Information and Communications. She was later told by a foreign ministry staff member that she had been removed from the list of approved journalists at the direction of Indonesian officials.<sup>28</sup>
- 4.9** There are also concerns about online space restrictions. The Cybercrime Act<sup>29</sup> has been used to silence criticism and creates a chilling effect. Activists, journalists and the political opposition have criticised the law for its implications for freedom of expression and political discourse. The law defines cybercrime as ‘offences committed using electronic devices, systems and or networks’. The Act covers a wide range of illegal online activities including defamatory publication. Online defamation carries a maximum penalty of up to 25 years’ imprisonment or a fine of up to one million Kina (approx. US\$260,000). Such a provision is inconsistent with international human rights law and standards that call for the decriminalisation of defamation.
- 4.10** In November 2023, police in the Cyber Crime Unit in Port Moresby arrested and charged Rickson Apa of Pureni, Hela Province for committing defamation under the cybercrime law against Hela Governor Philip Undialu. He was accused of circulating a variety of files containing defamatory comments. Apa was later released on bail.<sup>30</sup>

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<sup>26</sup> ‘All Foreign Journos To Be Screened’, Post Courier, 27 September 2022, [https://postcourier.com.pg/all-foreign-journos-to-be-screened/?fbclid=IwAR1y6c\\_C-9dw06SaHMqwrwTeWJxzRpG1ZBF0p-QWfg6Rw8ESimFuhNG9gZs](https://postcourier.com.pg/all-foreign-journos-to-be-screened/?fbclid=IwAR1y6c_C-9dw06SaHMqwrwTeWJxzRpG1ZBF0p-QWfg6Rw8ESimFuhNG9gZs).

<sup>27</sup> ‘Papua New Guinea: multiple protests against government actions and increasing restrictions on the press’, CIVICUS Monitor, 20 June 2023, <https://monitor.civicus.org/explore/papua-new-guinea-multiple-protests-against-government-actions-and-increasing-restrictions-on-the-press>.

<sup>28</sup> ‘Shameful’: Ban on Journalist During PNG Visit by Indonesia’s Prabowo Condemned’, Benar News, 22 August 2024, <https://www.benarnews.org/english/news/pacific/pac-png-media-08222024055137.html>.

<sup>29</sup> ‘Cybercrime Code Act 2016’, [https://www.parliament.gov.pg/uploads/acts/16A\\_35.pdf](https://www.parliament.gov.pg/uploads/acts/16A_35.pdf).

<sup>30</sup> CIVICUS Monitor, 12 March 2024, op. cit.

- 4.11** In another case, a lawyer underwent four years of judicial harassment under the Cybercrime Act after he was charged with defamation in 2019 for accusing a senior police investigator on Facebook of being bribed by the opposing party in an ongoing criminal case to evict his client. He was finally acquitted in December 2023.<sup>31</sup>
- 4.12** In October 2025, police arrested Ronald Banipi in Port Moresby following a formal complaint by State-Owned Enterprise Minister William Duma regarding a post on Banipi's Facebook page. The post featured a caption written by Banipi accompanying a shared news article from The National's online page: 'Who was the Minister under this portfolio for more than 10 years? Someone lost their mind'. The article stated that Duma had blamed past governments for failing to fund the electricity company. Banipi was charged with one count of defamatory publication under section 21(2) of the Cybercrime Act, alleging the post damaged Duma's credibility and reputation. He was released on bail of K5,000 (approx. US\$1,170). O Banipi's case was struck out at the Waigani District Court due to consecutive adjournments without the police file being ready.<sup>32</sup>
- 4.13** On 25 March 2025, PNG was hit by an unexpected digital blackout as access to Facebook was abruptly blocked for a day. The blackout occurred during a politically sensitive period, when parliament was debating a no-confidence motion against Marape, heightening public concern about the timing and intent of the disruption. The move, described by Police Minister Peter Tsiamalili Jr as a 'test', was allegedly conducted to assess the government's ability to regulate social media to combat hate speech in order to address 'national security threats' under the framework of the National Anti-Terrorism Act 2024. TIPNG condemned the disruption of Facebook and the internet, saying it 'represents a dangerous erosion of fundamental citizen rights'. It added that it was deeply concerned that the Act's vague definition of terrorism leaves it open to abuse.<sup>33</sup>
- 4.14** In October 2025, PNG's National Executive Council endorsed its National Social Media Policy 2025.<sup>34</sup> The policy aims to regulate online behaviour by requiring users aged 14 and over to obtain a digital ID to access social media platforms, mandating platform

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<sup>31</sup> 'Papua New Guinea: slow progress on reforms to protect civic space', CIVICUS Monitor, April 2024, <https://civusmonitor.contentfiles.net/media/documents/PapuaNewGuinea.ResearchBrief.April2024.Final.pdf>.

<sup>32</sup> 'Papua New Guinea: concerns around use of cybercrime law to criminalise expression, new social media policy and Starlink internet disruption', CIVICUS Monitor, 22 January 2026, <https://monitor.civus.org/explore/papua-new-guinea-concerns-around-use-of-cybercrime-law-to-criminalise-expression-new-social-media-policy-and-starlink-internet-disruption>.

<sup>33</sup> 'Silencing Free Speech a Tool of the Corrupt', TIPNG, 30 March 2025, <https://transparencypng.org.pg/silencing-free-speech-a-tool-of-the-corrupt>.

<sup>34</sup> 'Papua New Guinea: Social Media Policy 2025', [Social-Media-Policy-2025-Final-Verson.pdf](#).

registration and compliance with PNG laws and establishing a national e-Safety Directorate to monitor and address misinformation, online abuse and scams.<sup>35</sup> Acting Minister for Information and Communications Technology, Peter Tsiamalili Jr, state that the ‘policy strikes the right balance by upholding freedom of expression while ensuring safety, decency, and accountability online’.<sup>36</sup> Nonetheless there are growing concerns that the policy introduces sweeping controls over online expression that go beyond safety concerns.

**4.15** There is no RTI legislation in PNG despite guarantees in the section 51 of the constitution and ongoing consultations with civil society for many years. According to civil society groups, citizens’ access to government information is often difficult due to a culture of secrecy in state agencies.<sup>37</sup> Further, there is a lack of clarity on what information should be publicly accessible. The government of PNG, through the Open Government Partnership process, has committed to enacting RTI legislation.<sup>38</sup> At the time of writing, a series of regional consultations have been held<sup>39</sup> on an RTI policy<sup>40</sup> that will provide the framework for developing a robust law.

**4.16** In November 2023, the PNG Supreme Court, in the case of *Mesulam v Joku*,<sup>41</sup> made a landmark ruling on section 51 of the constitution. The ruling established a two-pronged public interest test that must be satisfied by the responding agency when assessing a request for access to information under section 51. First, an agency claiming restriction of an official document must demonstrate how the document falls under the prescribed categories of exemption and, second, the agency must justify whether there is a need for secrecy in connection with a document that is reasonably justifiable in a democratic society. The judgment means that it is not sufficient to deem

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‘Papua New Guinea Considers Age Restrictions on Social Media Amid Fears Voices Will Be ‘Silenced’’, The Guardian, 3 October 2025, <https://www.theguardian.com/world/2025/oct/03/papua-new-guinea-considers-age-restrictions-on-social-media-fears-voices-will-be-silenced>.

<sup>36</sup> ‘Policy on The Use of Social Media Given the Greenlight’, The National, 7 October 2025, <https://www.thenational.com.pg/policy-on-use-of-social-media-given-the-greenlight>.

<sup>37</sup> ‘Our Rights to Know, Their Duty to Tell: Realising Our Right to Information in Papua New Guinea’, TIPNG, 12 July 2019, <https://transparencypng.org.pg/wp-content/uploads/2022/10/TIPNG-RTI-Report-2019-Our-Right-to-Know-their-Duty-to-Tell.pdf>.

<sup>38</sup> ‘Papua New Guinea: Slow Progress on Reforms to Protect Civic Space’, CIVICUS, 23 April 2024, <https://www.civicus.org/index.php/media-resources/reports-publications/6980-papua-new-guinea-slow-progress-on-reforms-and-ongoing-restrictions-to-freedom-of-expression>

<sup>39</sup> PNG Department of Information and Communications Technology post, Facebook, 19 November 2025, <https://www.facebook.com/share/p/1BYgk722c8>.

<sup>40</sup> ‘Draft: National Right to Information Policy’, TIPNG, [https://transparencypng.org.pg/wp-content/uploads/2025/09/National\\_RTI\\_Policy\\_draft\\_ver1.1\\_06.03.20231.pdf](https://transparencypng.org.pg/wp-content/uploads/2025/09/National_RTI_Policy_draft_ver1.1_06.03.20231.pdf).

<sup>41</sup> ‘Supreme Court of Papua New Guinea: *Mesulam v Joku*’, Pacific Islands Legal Information Institute, 29 November 2023, <https://www.pacii.org/pg/cases/PGSC/2023/148.html>.

a document official and in one of the prescribed categories without providing a reasoned and considered assessment in line with these tests.<sup>42</sup>

## **5. Freedom of peaceful assembly**

- 5.1** During PNG's examination under the 3<sup>rd</sup> UPR cycle, the government did not receive any recommendations on the right to freedom of peaceful assembly.
- 5.2** ICCPR article 21 guarantees the right to freedom of peaceful assembly. Under international law, state authorities may put in place a system of prior notification, but it should not function as a request for authorisation. Further, spontaneous assemblies should be exempt from notification requirements.
- 5.3** Article 47 of the constitution provides that 'every person has the right peacefully to assemble'.<sup>43</sup> The Peace and Good Order Act 1991 regulates the holding of public processions or public meetings.<sup>44</sup> Those planning to hold a protest are required to submit an application to a provincial committee made up of the provincial authorities and police to consider and issue a permit. The committee must meet as soon as is practicable and, unless it is satisfied on reasonable grounds that the meeting or procession is likely to be prejudicial to the maintenance of peace and public order, is expected to issue the permit.
- 5.4** Individuals can be detained for holding a protest under section 64 of the Criminal Code Act,<sup>45</sup> which criminalises those assembling to 'disturb the peace'. Such provisions are broad and vague and inconsistent with international human rights law and standards.
- 5.5** Peaceful protests are usually allowed to take place without any major restrictions. However, in July 2024, police apprehended six people during a protest by Bush Wara settlers in Port Moresby for what they deemed to be an illegal protest and for allegedly burning the national flag. The six were part of a larger group of protesters at Bush Wara who faced eviction and were refusing to move. Police brought them to the Boroko Police Station, detained them in a holding cell and charged them under section 6(3) of the National Identity Act for improper use of the national flag and with unlawful assembly under section 64 of the Criminal Code Act.<sup>46</sup>
- 5.6** In March 2025, police blocked protests from being held in Port Moresby to call for Marape's resignation. Commander of the National Capital District/Central, Benjamin

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<sup>42</sup> 'Promoting Government Transparency in PNG: Freedom of Information and the Seabed Mining Case', Australian National University, 2 April 2024, <https://openresearch-repository.anu.edu.au/server/api/core/bitstreams/6759882a-296c-49bc-a580-55c6ee0324d1/content>.

<sup>43</sup> 'Papua New Guinea's Constitution of 1975 with Amendments through 2016', op. cit.

<sup>44</sup> 'Peace and Good Order Act 1991', [http://www.paclii.org/pg/legis/consol\\_act/pagoa1991154.pdf](http://www.paclii.org/pg/legis/consol_act/pagoa1991154.pdf).

<sup>45</sup> 'Criminal Code Act (Chapter 262)', [https://www.paclii.org/pg/legis/consol\\_act/cca262179.pdf](https://www.paclii.org/pg/legis/consol_act/cca262179.pdf).

<sup>46</sup> 'Papua New Guinea: Media Restrictions and Cybercrime Law Undermine Freedom of Expression', CIVICUS Monitor, 28 August 2024, <https://monitor.civicus.org/explore/papua-new-guinea-media-restrictions-and-cybercrime-law-undermine-freedom-of-expression>.

Turi, directed police station commanders and each divisional head to monitor the city on the day. He said police had not received any formal request for a protest and, as such, any protest would be deemed illegal and those involved would be arrested and charged with unlawful assembly or gathering.<sup>47</sup>

- 5.7** There has been a lack of accountability for unlawful shooting of protesters in Jiwaka Province in 2022 around a general election. The National reported that security forces allegedly shot dead at least four men and wounded 15 others on 6 August 2022. The protesters were mostly young men, including students, from the Kuli tribe in Jiwaka. It was reported that protesters were not happy with the conduct of the election and held a roadblock protest at the Highlands Highway at Anglimp junction. An investigation into the shootings was reported to have taken place. On 27 October 2022, it was reported that eight police officers had been identified as suspects. However, no further information has been reported publicly.<sup>48</sup>
- 5.8** In 2024, the Ombudsman Commission of PNG issued its investigation report into June 2016 student protests when police opened fire on university students calling for the prime minister's resignation over corruption allegations. According to reports, at least 38 protesters were injured. The report made a series of recommendations to reform the policing of protests.<sup>49</sup>
- 5.9** In recent times, it has become increasingly difficult to organise peaceful protests. Authorities are restricting them on the basis that they may escalate into riots. This concern was reflected in unrest in January 2024,<sup>50</sup> when a strike by some police officers triggered widespread looting and rioting across major urban centres.<sup>51</sup>

## **6. Recommendations to the Government of PNG**

CIVICUS, PIANGO and TIPNG call on the Government of PNG to create and maintain, in law and in practice, an enabling environment for civil society, in accordance with the rights enshrined in the ICCPR, the UN Declaration on Human Rights Defenders and Human Rights Council resolutions 22/6, 27/5 and 27/31.

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<sup>47</sup> 'No protest in NCD', TVWan Online, 1 March 2025,

<sup>48</sup> 'Slow progress in ensuring accountability for unlawful killing of protesters in PNG while journalists face restrictions and threats', CIVICUS Monitor, 30 December 2022, <https://monitor.civicus.org/explore/slow-progress-ensuring-accountability-unlawful-killing-protesters-png-while-journalists-face-restrictions-and-threats>.

<sup>49</sup> 'Final Report on the Investigation into Police shootings at demonstrating UPNG students on 8 June 2016', Ombudsman Commission of PNG, 9 September 2024.

<sup>50</sup> 'January Riots In PNG: Underlying Causes, Implications and The Future', Devpolicy Blog, 19 January 2024, <https://devpolicy.org/january-riots-in-png-underlying-causes-implications-and-the-future-20240119>.

<sup>51</sup> 'Papua New Guinea: Police and military must exercise restraint to avoid escalation of deadly riots', Amnesty International, 11 January 2024, <https://www.amnesty.org/en/latest/news/2024/01/papua-new-guinea-police-and-military-must-exercise-restraint-to-avoid-escalation-of-deadly-riots>.

At a minimum, the following conditions should be guaranteed: the rights to freedoms of association, expression and peaceful assembly, the right to operate free from unwarranted state interference, the right to communicate and cooperate, the right to seek and secure funding and the state's duty to protect.

In the light of this, the following specific recommendations are made:

### **6.1 Freedom of association**

- Take measures to foster a safe, respectful and enabling environment for civil society, including by preventing legal and policy measures that unwarrantedly limit the right to freedom of association.

### **6.2 Protection of civil society activists, human rights defenders and journalists**

- Provide civil society activists, HRDs and journalists with a safe and secure environment in which they can carry out their work and conduct impartial, thorough and effective investigations into all cases of attacks, harassment and intimidation against them
- Ensure that HRDs are able to carry out their legitimate activities without fear or undue hindrance, obstruction or legal and administrative harassment.
- Initiate a consolidated process of review, repeal or amendment of legalisation that unwarrantedly restricts the legitimate work of HRDs, in line with the UN Declaration on Human Rights Defenders.
- Publicly condemn instances of harassment and intimidation of activists, HRDs and journalists.
- Take all necessary steps to establish an independent national human rights institution in accordance with the Paris Principles and in line with the PNG Strategic Plan on Human Rights 2024-2029 and ensure it works to protect HRDs.
- Systematically apply legal provisions that promote and protect human rights and establish mechanisms that protect human rights activists by adopting a specific law, in accordance with Human Rights Council resolution 27.31.

### **6.3 Freedom of expression, media freedom and freedom of information**

- Review and amend criminal defamation provisions in the 2016 Cybercrime Act to ensure these are in line with ICCPR article 19 and international law and standards on freedom of expression. Halt the use of the Cybercrime Act to arrest, detain and prosecute people for peaceful expression online.
- Ensure freedom of expression and media freedom by bringing all national legislation into line with international standards.
- Ensure that journalists and writers can work freely and without fear of retribution for expressing critical opinions or covering topics the government may deem sensitive.
- Take steps to lift any restrictions on the work of domestic and foreign journalists and adopt a framework for their protection from harassment, intimidation and persecution.
- Ensure that media laws are consistent with international human rights law and standards and refrain from adopting any new laws providing for censorship or undue control over media content.
- Draft and pass RTI legislation to promote maximum disclosure of information in the public interest and guarantee the right of everyone to access information including providing for effective mechanisms. .

### **6.4 Peaceful Assembly**

- Review the Peace and Good Order Act 1991 to ensure it is consistent with international human rights law and standards as recommended by the Ombudsman Commission of PNG.
- Adopt best practices on freedom of peaceful assembly, as put forward by the UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association in his 2012 annual report, which calls for procedures in which there is simple notification of assemblies being held, rather than explicit permission being needed to assemble.
- Ensure that those responsible for those involved in excessive force or unlawful killings of protesters are promptly identified, charged and prosecuted.

- Implement the recommendations to the police in the Final Report on the Investigation into the 2016 police shootings of demonstrating UPNG students by the Ombudsman Commission of PNG.
- Review and update human rights training for police and security forces, with the assistance of the UN and independent CSOs, to foster consistent application of international human rights standards, including the UN Basic Principles on the Use of Force and Firearms.

### **6.5 Access to UN Special Procedures mandate holders**

Extend a standing invitation to all UN Special Procedure mandate holders and prioritise official visits by the: 1) the Special Rapporteur on the situation of human rights defenders; 2) the Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression; and 3) the Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association.

### **6.6 State engagement with civil society**

- Include CSOs in the UPR process before finalising and submitting the national report.
- Systematically consult with civil society on the implementation of UPR recommendations, including by holding periodical comprehensive consultations with a diverse range of civil society.
- Incorporate the results of this UPR into action plans for the promotion and protection of all human rights, taking into account the proposals of civil society, and present a midterm evaluation report to the Human Rights Council on the implementation of the recommendations of this session.

## 7. Annex: Assessment of implementation of civic space recommendations under the 3rd cycle

Recommendation	Position	Assessment/Comments on level of implementation
<p><b>144.63</b> Guarantee the participation of civil society, and its equality of treatment and the diversity of its representation, in the development of climate and environmental policies (Switzerland);</p> <p><b>Source of position:</b> A/HRC/49/11/Add.1</p>	Supported	<p>Status: Partially Implemented</p> <p>Source: Section 3</p>
<p><b>144.95</b> Consider reviewing current legislation on access to information, with the aim of strengthening, both online and offline, the rights to privacy, to freedom of expression and to peaceful assembly and association (Brazil);</p> <p><b>Source of position:</b> A/HRC/49/11/Add.1</p>	Supported	<p>Status: Not implemented</p> <p>Source: Section 4</p>
<p><b>144.96</b> Introduce legislation on access to information that is in line with international standards (Marshall Islands);</p> <p><b>Source of position:</b> A/HRC/49/11/Add.1</p>	Supported	<p>Status: Not implemented</p> <p>Source: Section 4</p>
<p><b>144.97</b> Guarantee the rights to freedom of expression and association, by reviewing the regulations that have the effect of limiting the exercise of those rights and freedoms and persecuting their defenders (Spain);</p> <p><b>Source of position:</b> A/HRC/49/11/Add.1</p>	Supported	<p>Status: Not implemented</p> <p>Source: Section 4</p>