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Summary prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1

# Papua New Guinea\*

The present report is a summary of 10 stakeholders' submissions¹ to the universal periodic review. It follows the structure of the general guidelines adopted by the Human Rights Council. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. Lack of information or focus on specific issues may be due to the absence of submissions by stakeholders regarding these particular issues. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the four-year periodicity of the first cycle of the review.

<sup>\*</sup> The present document was not edited before being sent to United Nations translation services

# I. Background and framework

#### A. Scope of international obligations

- 1. Joint Submission 1 (JS1) recommended that Papua New Guinea ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) and its Optional Protocol (OPCAT)<sup>2</sup> as well as the Convention on the Rights of People with Disabilities (CRPD).<sup>3</sup>
- 2. International Human Rights Clinic of University of Oklahoma College of Law (IHRC-UOCL) recommended that Papua New Guinea consider accession to ILO Convention 169 concerning indigenous and tribal peoples in independent countries.<sup>4</sup>

## B. Constitutional and legislative framework

- 3. Amnesty International (AI) noted that the Constitution did not include "gender" or "sex" as a prohibited ground of discrimination.<sup>5</sup> IHRC-UOCL stated that neither the Constitution nor legislation contained a substantive recognition of gender equality. IHRC-UOCL also stated that Papua New Guinea had not incorporated domestic violence offences into its criminal laws.<sup>6</sup> Accordingly, IHRC-UOCL recommended amending the Constitution to include an enforceable substantive recognition of gender equality that is neither superseded by pre-independence law nor in conflict with customary law.<sup>7</sup>
- 4. IHRC-UOCL noted examples of domestic legislation and draft legislation that targets women's rights and issues, such as, the Equality and Participation Bill, the Lukautim Pikinini (Child Protection) Act and the 2002 Sexual Offenses and Child Protection Act. IHRC-UOCL also noted the creation of the Office for Development of Women through the Department for Community Development Gender and Development Branch.<sup>8</sup>
- 5. Centre for Environmental Rights (CELCOR) noted the lack of a freedom of information act in Papua New Guinea.<sup>9</sup>

## C. Institutional and human rights infrastructure

- 6. AI noted the Government had been unable to set up the human rights institution, which the National Executive Council endorsed in 1997. AI welcomed, however, the 2007 Final Option Paper on the establishment of the Papua New Guinea Human Rights Commission and the setting up of a small unit within the Ombudsman's Commission to investigate complaints of human rights violations by the police. AI further noted that a draft Bill on the setting up of the Human Rights Commission was prepared in 2008, which has yet to go through the parliamentary process.<sup>10</sup>
- 7. Human Rights Watch (HRW) was concerned at Government-sanctioned moves to curtail the powers of its own widely-praised Ombudsman Commission, the only Government institution that had had some success combating Government abuse and mismanagement.<sup>11</sup> In this connection, HRW recommended that the government withdraw support from proposed amendments that would curtail the power of the Ombudsman Commission.<sup>12</sup>
- 8. JS1 noted the establishment of a National Advisory Committee on Disability (NACD) to advise all sections of the Department for Community Development, and all

Government instrumentalities in relation to matters concerning the lives of people with disabilities in the country.<sup>13</sup>

- 9. IHRC-UOCL recommended the enactment of legislation to fund and staff the Office of Development of Women.<sup>14</sup>
- 10. OceaniaHR recommended that Papua New Guinea become one of the founding states of a future Pacific Island Human Rights Charter and Commission.<sup>15</sup>

## D. Policy measures

- 11. JS1 noted that the Papua New Guinea Vision 2050, derived from the National Strategic Plan Framework, made no direct reference to the rights of people with disabilities. While welcoming the adoption of a policy for service delivery through the implementation of a process of Community-based Rehabilitation (CBR), JS1 expressed concern that the provision of salaries, operational costs and infrastructure (vehicles, offices and equipment etc) was lacking, as was the appropriate funding of organizations that provide training for the CBR Workers. 17
- 12. JS1 recommended that Papua New Guinea continue to develop the required policies, and protocols for the implementation of the policies for the education and rehabilitation of people with disabilities. Further, JS1 recommended establishing partnerships with appropriate NGOs to conduct services for the education and rehabilitation of people with disabilities and the necessary capacity building of education, community-based rehabilitation workers and health professionals, who may also have contact with people with disabilities in the course of their work.<sup>18</sup>

# II. Promotion and protection of human rights on the ground

#### A. Cooperation with human rights mechanisms

#### Cooperation with special procedures

- 13. OceaniaHR recommended that Papua New Guinea invite the Special Representative of the Secretary-General on business and human rights to visit the country.<sup>19</sup>
- 14. AI recommended that Papua New Guinea invite the UN Special Rapporteur on violence against women to visit the country.<sup>20</sup>
- 15. JS1 recommended that Papua New Guinea invite the UN Special Rapporteur on education to visit and assess the state of education in the country.<sup>21</sup>

## B. Implementation of international human rights obligations

#### 1. Equality and non-discrimination

- 16. According to AI, harmful norms, practices and traditions contributed to the negative stereotyping of women and widespread discrimination against them in almost all facets of society.<sup>22</sup>
- 17. IHRC-UOCL recommended that Papua New Guinea enact special legislation to ensure rural women full equality and rights to improvement and development, specifically with respect to employment and education.<sup>23</sup>

#### 2. Right to life, liberty and security of the person

- According to the Society for Threatened Peoples (STP), the chairman of the nation's law reform commission had stated that there had been an escalation in sorcery killings. People who were accused of sorcery were sometimes tried in local courts composed of tribesmen and village councils. Most times, the killings were committed by men who first torture the so-called witches to get a confession and force them to name other witches. In some villages there were vigilante murderers who sometimes killed those who were suspected of being witches. Branding someone a witch is a crime. The police were often unable to enforce the law since there was a lack of trust in the police and the judiciary.<sup>24</sup> Similarly, AI indicated that in 2009, the Government had responded to the sharp rise in reports of sorcery-related killings by establishing a committee under the Constitutional Review and Law Reform Commission to review laws relating to sorcery but that little information is available on the progress of work of this committee. AI also noted the statement of the Chair of the Constitutional Review and Law Reform Commission in January 2009 that 'sorcery' was increasingly used as a way of finding scapegoats or killing someone for reasons of revenge or envy. Those targeted for killing had no access to a fair trial and are regularly tortured before being killed. AI further indicated that many of these killings did not result in court proceedings because witnesses are unwilling to testify for fear of being tortured or killed by defendants or by their family or tribal members. The lack of public trust in the police adversely affected its capacity and ability to investigate these killings and hold those responsible to account.25
- 19. AI recommended that Papua New Guinea vigorously pursue investigations of all sorcery-related killings to ensure that the perpetrators are brought to justice; develop and implement strategies, including for social change, to prevent further acts of sorcery-related killings; and implement awareness-raising programmes to educate communities about the causes of HIV/AIDS, and challenge any link between women with HIV/AIDS and notions of sorcery.<sup>26</sup>
- 20. HRW noted it had previously documented widespread patterns of abuse by Papua New Guinea's police force, including the use of excessive force, torture, and sexual violence against children as well as adults. It stated that these abuses remained rampant and that almost all of those responsible continued to enjoy impunity. These patterns of abuse by the police had deeply eroded the public trust and cooperation crucial to effective policing.<sup>27</sup>
- 21. STP noted that neither prisons, nor police detention centres had medical care facilities. In some police holding cells, detainees lacked bedding and sufficient food and water.<sup>28</sup>
- 22. According to IHRC-UOCL, Papua New Guinea is a patriarchal society where a high incidence of gender-based domestic violence against women existed. Sexual assault, rape, killing and wife beating were among the most prevalent offenses and were perpetrated in high numbers in rural areas. Women were victimized for many reasons including accusations of sorcery/witchcraft and HIV/AIDS infection.<sup>29</sup> HRW also noted similar concerns.<sup>30</sup> In this connection, AI noted that there were no laws specifically prohibiting violence against women and girls, which made it difficult for the authorities to deal adequately with violence in the family and in the community. While there had been numerous attempts since the 1990s to introduce family protection (domestic violence) legislation, these attempts had lacked the necessary political support from the country's leaders.<sup>31</sup>
- 23. AI further noted that women victims of violence were often subjected to undue pressure from family and members of the community to "settle" serious criminal charges by way of compensation. In other cases, when women did lodge complaints, they were intimidated, threatened and even beaten up by close relatives, including their violent

partners. Women's groups working with female survivors of violence often faced intimidation and persecution from family members of the women victims and the perpetrators.<sup>32</sup>

- 24. HRW also expressed concern that sexual violence against women was commonplace. It was noted that no effective assistance to victims was provided, that perpetrators often remained unpunished and there were insufficient support services such as shelters and emergency health care. Victims faced formidable barriers to obtaining redress through the justice system, including lack of information, limited legal aid, and geographic distances. Many village courts relied on customary laws that failed to protect women's rights. This problem was exacerbated by some police officers' own propensity to engage in sexual violence.<sup>33</sup> In this regard, AI recommended that Papua New Guinea take steps to ensure that women and girls who are subject to gender-based violence have access to healthcare services, counselling, emergency accommodation and long-term and sustainable housing and livelihood solutions, and legal advice, including in cooperation with non-governmental organizations and international donors.<sup>34</sup> HRW made a similar recommendation.<sup>35</sup>
- 25. Global Initiative to End All Corporal Punishment of Children (GIEACPC) noted that corporal punishment was lawful in the home and in schools. It was unlawful as a penalty for criminal acts in the penal system, but it was not explicitly prohibited as a disciplinary measure in penal institutions. GIEACPC further noted, in relation to alternative care settings, the Lukautim Pikinini (Child) Act stated that children in care had the right "to be free from corporal punishment". It would however appear that the prohibition did not apply to private care arrangements (e.g. informal fostering arrangements) and forms of care run by non-governmental bodies.<sup>36</sup>
- 26. JS1 recommended that Papua New Guinea continue to support and monitor the child welfare agencies in each province that are providing child protection education and skill development, with a special emphasis on protecting children with disabilities from abuse.<sup>37</sup>

#### 3. Administration of justice, including impunity and the rule of law

- 27. HRW stated that, in the context of activities by extraction agencies, the Government provided no regular oversight of private security forces employed by them, meaning that human rights abuses by these private forces were tackled, or ignored, depending largely on whether the company involved was willing to proactively address the problem. Victims often had no safe and accessible channels they could use to report abuses.<sup>38</sup>
- 28. JS1 noted reports that police were not sufficiently trained or aware to identify situations where people with disabilities were being abused. When such abuse was reported, police did not always act. In this connection, JS1 stated that as well as appropriate training of police, there was a need for a public campaign emphasizing the rights of people with disabilities to live free of abuse.<sup>39</sup>
- 29. STP indicated that due to very limited police and judicial resources and a high crime rate, suspects were often held in pre-trial detention for lengthy periods. The slow pace of police investigations, particularly in locating witnesses, and occasional political interference or police corruption frequently delayed cases for months.<sup>40</sup>
- 30. According to HRW, impunity remained the norm when it came to police abuses, and efforts to investigate them were often poorly received. HRW added that donor-backed efforts to provide training to improve the capacity of the Papua New Guinea police have had little discernable impact on the force's human rights record and expressed the view that more urgency should be placed on ending impunity for serious abuses.<sup>41</sup>

- 31. HRW recommended that Papua New Guinea punish officers who torture, rape or use excessive force, using administrative sanctions including dismissal and criminal prosecution; and strengthen and expand the juvenile justice system, fully support or reactivate juvenile reception centers and juvenile policy monitoring units throughout the country, and ensure that children are never detained with adults in police lockups or prisons.<sup>42</sup>
- 32. In a similar vein, regarding elimination of gender-based violence, AI recommended that Papua New Guinea ensure that all complaints of violence, including sexual violence against detainees by police, are fully investigated and that suspected perpetrators are brought to justice.<sup>43</sup>

### 4. Right to privacy, marriage and family life

- 33. AI noted that polygamy was widely practised in many rural areas of the country and often perpetuated the perception that women have a lowly status and can be treated as a commodity, which was further exacerbated by the practice of paying a "bride price", i.e. "buying" a woman.<sup>44</sup>
- 34. Joint Submission 2 (JS2) recommended that Papua New Guinea bring its legislation into conformity with its commitment to equality and non-discrimination, and its international human rights obligations, by repealing all provisions which may be applied to criminalize sexual activity between consenting adults of the same sex.<sup>45</sup>

# 5. Freedom of religion or belief, expression, association and peaceful assembly and right to participate in public and political life

35. IHRC-UOCL noted that women faced serious inequalities in governmental representation/participation. In its 35 years of independence, only four women had served in the Parliament; currently there was only one woman in the 109-seat Parliament, the first to serve in the past decade. In this connection, IHRC-UOCL recommended implementing special legislative measures, such as quotas, to ensure women's participation in all levels of governmental structure, including the appointive/administrative leadership positions, elected positions and all levels of the civil service.<sup>46</sup>

#### 6. Right to work and to just and favourable conditions of work

36. JS1 stated that there was no systematic training of people with disabilities for employment, no systemic preparation of employers to employ someone with a disability, and no promotion of the possibility with employers that they could employ someone with a disability. <sup>47</sup> JS1 recommended a national campaign targeting employers to encourage them to employ people with disabilities. <sup>48</sup>

#### 7. Right to social security and to an adequate standard of living

37. IHRC-UOCL noted that in 2007, Papua New Guinea passed the Provincial Health Authority Act as part of an effort to create a single authority to manage hospitals and primary healthcare services throughout the provinces. Further, according to IHRC-UOCL, the main issues regarding healthcare and the indigenous people of Papua New Guinea included: access to healthcare services, maternal mortality, child mortality and HIV/AIDS. There were also continued problems with institutional and technical capacity to manage financial resources, and numerous rural health access points had closed, but were still reported open. Access to health services was limited, especially in rural areas where the majority of the population lived. Maternal and infant mortality in Papua New Guinea were extremely high, due in large part to a lack of skilled midwives and healthcare professionals. HRW also noted similar concerns.

- 38. Additionally, HRW noted that Papua New Guinea had a very high prevalence of HIV/AIDS: around 34,100 people were living with the disease (0.92 per cent of adults in 2010), with young women most likely to be diagnosed. Gender-based violence and discrimination and poor access to healthcare fuelled the virus's spread. People living with HIV/AIDS often faced violence and discrimination. Antiretroviral therapy was inaccessible to most. Despite training, police undermined prevention efforts by targeting female sex workers and men and boys suspected of homosexual conduct, for beatings and rape. Police did so in part because they could threaten arrest using laws criminalizing homosexual conduct and certain forms of sex work, and because social stigma against homosexuals and sex work shielded the police from public outrage.<sup>52</sup>
- 39. JS1 noted the very poor physical environment for people with disabilities (pedestrian paths, access to government buildings etc) in most areas.<sup>53</sup>
- 40. With respect to health services for people with disabilities, JS1 stated that knowledge and skills of health workers were low in relation to the conduct of programmes for the prevention of hearing and sight impairment and early identification and treatment of health difficulties. There was a lack of technical equipment for early identification and identification at an older age. All these problems were greater in more remote areas, where most people live.<sup>54</sup>
- 41. Furthermore, JS1 expressed concern about people with mental illness, possibly the most vulnerable and excluded group in the country. They had very limited access to treatment facilities and medicines, and faced exclusion and misunderstanding. JS1 noted three reported cases of young men with mental illness being chained to trees.<sup>55</sup>
- 42. JS1 noted that the Government at the national and province level did not appear to have a systematic process to respond to a huge demand for land for housing. Consequently, unplanned settlements had developed and, in many places, were rapidly expanding. This has occurred without proper planning for transport, waste disposal, water, education, health and all other services. Those with any sort of disability were even more poorly served.<sup>56</sup>
- 43. HRW indicated, regarding activities of extractive industries, that environmental and health impacts of company operations are often without meaningful Government scrutiny, even in the controversial logging industry, where local analysts and civil society groups allege that violations of national laws and regulations are routine. HRW added that the Government has often failed effectively to mediate community conflicts over compensation payments linked to extractive projects, or provide policing services adequate to maintain law and order.<sup>57</sup>
- 44. Moreover, STP noted that between April and July 2009, police raided villages in the highlands and burnt down some 300 homes around the Porgera gold mine. The residents of the area had no prior warning that their homes would be destroyed.<sup>58</sup> AI also expressed concerns in this regard.<sup>59</sup>
- 45. JS1 recommended releasing land for housing and/or build housing in urban areas in a systematic way, within planning guidelines that insist on access to the housing for people with disabilities; providing appropriate and safe pedestrian areas for people with disabilities; providing safe access for people with disabilities to public buildings (government offices, businesses, services, etc); collecting accurate data on people with disabilities and using it for planning policies and services; and encouraging accurate data collection on people with disabilities by provinces and districts, and use this in meeting their needs.<sup>60</sup>

#### 8. Right to education and to participate in the cultural life of the community

- 46. JS1 noted the Government's good work in ensuring the enjoyment of the right to education in the country, which was made possible, because of some changes in the Government's policies, such as national education policy, national youth policy, disability policy and the child behaviour management policy, as well as taking into consideration the Convention on the Rights of the Child in the Lukautim Pikinini Act and localizing the MDGs by establishing the Medium Term Development Strategy (2005–2010). However, JS1 further stated that the right to education was not fully enjoyed as many barriers still existed.<sup>61</sup>
- 47. HRW indicated that primary education is neither free nor compulsory. Barriers to enrolment and attendance include long distances to school, a shortage of upper secondary placements, high school fees and school closures due to insecurity.<sup>62</sup>
- 48. IHRC-UOCL reported that school enrolment and retention rates are extremely low. Additionally, the gender gap in primary schools is very high. There are three main reasons for this. First, school fees are a financial burden for poor families and tend to choose to educate sons rather than daughters. Many families see little value in educating girls who traditionally have a low status in this society and are kept at home for household chores. Second, due to widespread parental concern about harassment, physical and verbal abuse, and possible pregnancy, parents withdraw their girls from school. Third, girls are expelled from school if they become pregnant.<sup>63</sup>
- 49. JS1 also noted that primary and secondary education did not equip children with the skills that could be used in their villages. Basic education did not prepare them well for upper secondary and tertiary studies and they cannot cope with these. Girls withdrew from education or did not attend school, due to cultural beliefs and obligations embedded in society. Moreover, JS1 stated that Papua New Guinea still faced the challenge of children missing out on school due to little space in schools, insufficient resources, insufficient schools and unskilled teachers. 65
- 50. JS1 noted that there was lack of suitable accommodation for students with physical disabilities and lack of Government-provided financial resources to provide for their access to school facilities (toilets, showers, classrooms). Staff lacked the knowledge and skills to ensure the inclusion education of children with limited or no vision limited or no hearing. Further, JS1 noted that the availability of the appropriate curriculum, resources, equipment and assistive devices (eg braille machines, special glasses, magnified screens), and technical support (eg to maintain good braille machines) was limited. Schools did not have the sports equipment or offer activities that can encourage the participation of children with physical disabilities. 67
- 51. JS1 recommended that Papua New Guinea ensure universal basic education in accordance with the international human rights treaties it had ratified, and ensure that primary education is compulsory and free for all; ensure that secondary and higher education in all its forms is made generally available and accessible to all by every appropriate means, and in particular by progressive introduction of free education; provide adequate student resources for primary and secondary schools to assist and motivate children's learning; provide sufficient professional training for all teachers; it increase the number of classrooms and schools to cater for the increasing number of children who need an education; improve public awareness of the importance of education, and of the negative effects of such harmful social and cultural factors, such as drug abuse; and continue to expand vocational institutions to assist young people who cannot find employment in the formal sector.<sup>68</sup> IHRC-UOCL made similar recommendations.<sup>69</sup>
- 52. OceaniaHR recommended that Papua New Guinea work with regional and international NGOs to conduct trainings in human rights education, as well as translate the

various international instruments it had ratified into the indigenous languages of its citizens.<sup>70</sup>

#### 9. Minorities and indigenous peoples

- 53. HRW noted that the Government had supported amendments to Papua New Guinea's Environment Act that would strip citizens of their right to challenge the legality of Government-sanctioned projects in court.<sup>71</sup> CELCOR expressed similar concerns in this regard.<sup>72</sup> STP noted that the Environment and Conservation Act protected the interest of investors at the expense of the environment and the owners of the resources. For years, Papua New Guineans had had rights to their property free from environmental damage and were allowed to sue for compensation for such damage.<sup>73</sup> CELCOR further recommended that the Government of Papua New Guinea immediately repeal the Environment Amendment Act 2010 and reinstate provision for adequate judicial review of all decisions affecting the lands and resources of traditional landowners in Papua New Guinea.<sup>74</sup>
- 54. IHRC-UOCL noted that deforestation threatened the indigenous habitat and ecosystems, which are essential for sustainably living on the land. Furthermore, deforestation contributed to climate change by destroying previous carbon sinks. Due to the rising sea levels attributed to climate change, the Carteret Islands no longer bear fruit trees or the taro upon which the inhabitants depend. In the long term, the islands faced complete submersion. In a similar vein, OceaniaHR recommended that Papua New Guinea work closely with its citizens to promote environmental protection. It should also take the lead in international negotiations regarding climate change.

#### 10. Situation in or in relation to specific regions or territories

55. OceaniaHR recommended that Papua New Guinea recommit itself to the achievement of peace and justice in Bougainville. It should ensure there is a strong mechanism that promotes conflict resolution.<sup>77</sup>

# III. Achievements, best practices, challenges and constraints

- 56. JS1 noted that Papua New Guinea had very good legislation and policies in place that can assist the country in ensuring that the rights of children and adults with disabilities are fully respected, and can fully participate in the life of the country. In this regard, JS1 noted some examples, including the Lukautim Pikininni Act (the Child Welfare Act), the Policy on Disability Act, and the Education Act, which had very positively enshrined inclusive education provisions.<sup>78</sup>
- 57. Joint Submission 3 (JS3) stated that in Papua New Guinea, climate change would threaten the enjoyment of the rights to food, health, means of subsistence, and the ability of individuals to maintain an adequate standard of living as it would cause salinification of limited freshwater sources, worsened cyclones, sea level rise resulting in flooding and overwash during tide surges, and erosion of coastlines and low-lying areas. It would also jeopardize the enjoyment of the rights to food, health, and subsistence livelihoods by damaging fisheries through sea level rises, increased sea temperature, and exacerbated cyclones; and endanger rights to life, property, housing, self-determination, security of person, access to water, sanitation, and a healthy environment due to increased cyclones, droughts, flooding, and spread of disease vectors through warmer air and water temperatures.<sup>79</sup>
- 58. JS3 further stated that the primary responsibility for the protection of human rights for the citizens of Papua New Guinea lay in the hands of the country itself. However, the causes and impact of climate change on the human rights of the citizens of Papua New

Guinea also lay with the States that were the major emitters of greenhouse gases. The international community – and particularly those nations historically and currently responsible for the greatest portion of greenhouse gas emissions – had a responsibility to prevent climate change from undermining the enjoyment of human rights by citizens of Papua New Guinea and, where particular circumstances makes that impossible, to mitigate the harm and assist the victims.<sup>80</sup>

59. STP noted a review carried out by the Government of Papua New Guinea showing that none of the 14 forestry operations between 2000 and 2005 could be seen as legal, and only one met more than 50 per cent of key criteria for a lawful logging operation. The International Tropical Timber Organization's criteria for sustainable logging weren't met by any of the logging concessions.<sup>81</sup>

## IV. Key national priorities, initiatives and commitments

N/A

# V. Capacity-building and technical assistance

N/A

Notes

The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org. (One asterisk denotes a non-governmental organization in consultative status with the Economic and Social Council).

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Civil society
      ΑI
                     Amnesty International*, London (UK)
      CELCOR
                     Centre for Environmental Rights (Papua New Guinea)
      GIEACPC
                     Global Initiative to End All Corporal Punishment of Children,
      HRW
                     Human Rights Watch*, New York (USA)
                     Joint Submission submitted by: Franciscans International*, Edmund Rice
      JS1
                     International (ERI), and Foundation for Marist Solidarity International (FMSI)
      JS2
                     Joint Submission submitted by: ARC International, Geneva (Switzerland), ILGA
                     (International Lesbian, Gay, Bisexual, Trans and Intersex Association), Brussels
                     (Belgium), and ILGA-Europe.*, Brussels (Belgium)
      JS3
                     Joint Submission submitted by: Earthjustice, Auckland, California (USA),
                     350.ORG, and Human Rights Advocates
      OceaniaHR,
                     OceaniaHR, Hawaii (USA)
      IHRC-UOCL
                    University of Oklahoma College of Law International Human Rights Clinic,
                     Oklahoma (USA)
      STP
                     Society for Threatened Peoples, Göttingen (Germany).
  JS1, para. 16.
  JS1, para. 47.
  IHRC-UOCL, p. 5.
  AI, p. 2.
  IHRC-UOCL, p. 1.
  IHRC-UOCL, p. 2.
  IHRC-UOCL, p. 1.
  CELCOR, p. 4.
  AI, p. 1. See also CELCOR, pp. 4-5.
<sup>11</sup> HRW, p. 1.
<sup>12</sup> HRW, p. 5.
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<sup>13</sup> JS1, para. 42.
<sup>14</sup> IHRC-UOCL, p. 2.
OceaniaHR, p. 3.
<sup>16</sup> JS1, para. 19. <sup>17</sup> JS1 para. 25.
<sup>18</sup> JS1, para. 48.
OceaniaHR, p. 3.
<sup>20</sup> AI, p. 5.
<sup>21</sup> JS1, para. 16.
<sup>22</sup> AI, p. 1.
<sup>23</sup> IHRC-UOCL, p. 2.
<sup>24</sup> STP, pp. 1–2.
<sup>25</sup> AI, p. 3.
<sup>26</sup> AI, p. 5.
<sup>27</sup> HRW, p. 2.
<sup>28</sup> STP, p. 2.
<sup>29</sup> IHRC-UOCL, p. 2.
<sup>30</sup> HRW, p. 3.
<sup>31</sup> AI, p. 2.
<sup>32</sup> AI, pp. 2–3.
<sup>33</sup> HRW, p. 3.
<sup>34</sup> AI, p. 5.
<sup>35</sup> HRW, p. 5.
<sup>36</sup> GIEACPC, paras. 1.1–1.4.
<sup>37</sup> JS1, para. 49.
<sup>38</sup> HRW, p. 2.
<sup>39</sup> JS1, para. 41.
<sup>40</sup> STP, p. 2.
41 HRW, p. 3.
<sup>42</sup> HRW, p. 5.
<sup>43</sup> AI, p. 5.
<sup>44</sup> AI, p. 1.
<sup>45</sup> JS2, p. 3.
46 IHRC-UOCL, p. 2.
<sup>47</sup> JS1, para. 28.
<sup>48</sup> JS1, para. 49.
<sup>49</sup> IHRC-UOCL, p. 4.
<sup>50</sup> IHRC-UOCL, p. 4.
<sup>51</sup> HRW, p. 4.
<sup>52</sup> HRW, p. 4.
<sup>53</sup> JS1, para. 45.
<sup>54</sup> JS1, para. 20.
<sup>55</sup> JS1, para. 27.
<sup>56</sup> JS1, para. 34.
<sup>57</sup> HRW, p. 2.
<sup>58</sup> STP, p. 2.
<sup>59</sup> AI, p. 4.
<sup>60</sup> JS1 para. 49.
<sup>61</sup> JS1, para. 3.
<sup>62</sup> HRW, p. 4.
63 IHRC-UOCL, p. 3.
<sup>64</sup> JS1, para. 4. See also IHRC-UOCL, pp. 2–3.
<sup>65</sup> JS1, para. 14.
<sup>66</sup> JS1, paras. 20–21.
67 JS1, para. 24.
<sup>68</sup> JS1, para. 16.
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- 69 IHRC-UOCL, p. 3.
   70 OceaniaHR, p. 2.
   71 HRW, p. 2.
   72 CELCOR, p. 2.
   73 STP, p. 1. See also IHRC-UOCL, p. 6.
   74 CELCOR, p. 5.
   75 IHRC-UOCL, p. 6.
   76 OceaniaHR, p. 3.
   77 OceaniaHR, p. 4.
   78 JS1, para. 18.
   79 JS3, para. 4.
   80 JS3, para. 16.
   81 STP, p. 2.