



# The Catholic Reporter

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## Asylum detainees suffer mental torture

By Fr Victor Roche SVD  
CBC General Secretary

**THE General Secretary of the Catholic Bishops' Conference of Papua New Guinea and Solomon Islands (CBC), Fr Victor Roche SVD recently visited the centre for asylum seekers set up by Australia and Papua New Guinea in Manus Island. Here he answers a few questions by Catholic Reporter:**

**Fr Victor, what prompted your visit to Manus Island on 17-20 March?**

I went as an observer of the Catholic Church to the hearings initiated by Justice David Cannings with the specific purpose of establishing if there was any violation of human rights in the refugee camp. Justice Cannings decided to take the initiative after riots took place on 16-17 February when a young Iranian refugee, Reza Barati, was killed and more than sixty others were injured, some seriously. Thanks to Justice David Cannings, for the first time members of the public and the media were able to visit the asylum seeker centre and see the facilities

**Where are the asylum seekers originally from?**

They are basically from very troubled Middle East and Asian

countries. The highest number is from Iran (533), followed by Afghanistan (134), Pakistan (104), Iraq (94). There are also 90 Sudanese, 47 Somalis and a handful of North-Africans. There are 74 Bangladeshi, 69 people coming from Myanmar, 37 Lebanese, 27 from Sri Lanka, 5 from Syria. Almost forty people are stateless. The official total number at the time of our visit was 1296; all men; 56 of them in hospital. Women and children are reported to be held in the other centre of Nauru also in a remote part of the Pacific. During our visit some of the refugees tried to talk to us and to complain about their detention, but they were gently ushered away by security personnel.

**Did the detainees have a chance to speak to the court?**

On 19 March the court hearing began at 9 o'clock. Seventeen affidavits of detainees were submitted. Then eleven detainees were brought into the court room over a couple of days. They basically testified that they were forcefully taken to Manus from the remote Australian Christmas Island in the Indian Ocean and were told that they would never be allowed to settle in that country. They complained about the harsh conditions in the camp: one mentioned bread with worms; others cramped rooms,



Temporary accommodation at the asylum seekers centre on Manus Island.

lack of privacy, deprivation of liberty and uncertainty about the future. They said that they left Iraq, Somalia or Afghanistan, because of threats to their life. They would like to be resettled in Australia or in a country that can guaranty their safety. From the camp they can communicate by phone or via internet with their families; but some are frightened by security personnel at the camp.

**What do people in Manus think about the camp?**

On Wednesday, 19 March in the evening I had a meeting with the leaders of the Catholic parish with

local parish priest Fr Dominic Maka. There were about fifty men and women. They think that only the two governments of Australia and PNG took the decision about the asylum centre in Manus. "We were not consulted – they said -. We were forced to accept it whether we like it or not. This is our place, but we do not know what is happening. We are angry and sad about the situation of the detainees in the centre. The detainees feel that Australia is heaven, but Papua New Guinea and Manus is hell. They feel that they are not safe in the centre and in Manus. "

**What do you think will happen?**

It's very hard to predict. On 20-23 March Australian Prime Minister Tony Abbot was in Papua New Guinea. The issue of the asylum seekers was indeed in the agenda, but Papua New Guinea reiterated its commitment to "help" Australia and carry on with the Manus centre. People in the camp are made scapegoat of global political and economic problems. They are harshly treated just to discourage others from sailing to Australian shores. But in the process they are highly disregarded and humiliated beyond any acceptable level.(G.L.)

## What to do with the settlements?

By Fr Giorgio Licini  
Catholic Reporter

**THE brutal murder of Divine Word University student Nigel Laki on 14 March in the streets of Madang shocked the local community and made many reflect. Early reports blamed settlement youth, but it was soon the discovered that perpetrators were not poor and uneducated teenagers. They were just drunk.**

Settlements exist in all developing countries and at times even in first world countries. They are not places full of rascals. Teachers, bank employees, policemen and other people in the so-called working class live in

settlements. They simply cannot afford to purchase, build or rent a house. Any current tertiary student is a potential settlement dweller.

The problem is wider. It relates to urbanisation because of lack of development, facilities and amenities in rural areas. It is aggravated by tribal fights and sorcery persecution that force people out of their remote but agriculturally prosperous villages in the Highlands. It becomes hell when a city does not find its own Powes Parkop providing scholarships to school drop outs and casual job opportunities to those who can just room the streets. Settlements in a city full of stu-

dents like Madang are a hazard. Rausim oi! (evict them!) becomes the mantra of the victims' friends exasperated by too many incidents and injuries. But where are you going to put people? The alternatives can only be realistic, viable, and acceptable. When people cannot go back to their village or are second generation in the city and have jobs there, they can only put up a new settlement somewhere a couple of miles away.

Consider instead the total closing down and SP Brewery and sale of beer in the country. There will still be alcoholism, but not at this intolerable level. Think of a serious housing program for

PNG urban areas. Forget about eviction, but discuss relocation. Churches, NGOs, Universities and business houses, reserve a yearly budget for assistance to nearby settler dwellers, especially school fees, medical assistance, a Christmas gift! Invite those jobless and unskilled boys outside your gate to help in maintenance works when needed in your compound.

Since many of us have lived or live in settlement areas, we know that their disadvantaged boys can either be our worst enemies or our best friends... It all depends on the way we shake hands with them and extend a bit of understanding and help.



Nigel Laki, a 21 year old Divine Word University journalism student was stabbed to death in Madang on 14 March 2014.

# "Big Koko" ... The child defender

Yeah Mate, that's right. My real name is Junia Kokomo, but everyone calls me "Big Koko" because I am big. I'm a loveable, likeable, child-friendly, over-sized PNG hornbill. My sole mission in life is:

- to protect PNG children 0-18;
- to speak out on their behalf;
- to make sure their Rights are respected and
- to help parents be the best parents they can be.

And in case you don't believe that I really exist...here's an old photo of me....some of my cousin brother and sister kokomos are of a different colour, but this is me... "Big Koko." And just for your information I am scheduled to sit for a portrait soon. Will publish it when finished!

How did I come to this mission of Protecting PNG Children 0-18? I'll tell you my story.



I am actually writing to you from my cage in a human family's backyard.

My parents, Papa and Mama Kokomo, are both dead. Someone killed them for their beautiful feathers. I was very

young at the time. Papa Kokomo was hunted and killed for his feathers and Mama Kokomo was killed and eaten. Two of my brother and sister Kokomos were killed even before they were born. They were still in the shell when someone stole them as souvenirs. My poor siblings never had a chance to live and enjoy life in the wild as they were meant to do.

I was adopted by a human family. My life has not been a very happy one. I'm no longer free to fly where I want. I'm kept in a small cage. Sometimes they forget to feed me. Without parents I didn't get good schooling on how to be a true kokomo and so I remain confused about my true identity!

But I'm also confused about the way my human family does things. Their kids are very small, but they are made to work like big people: they must work the garden, clean the house, cook the meals, do

the laundry and mind the younger kids of the family. Of course, it's good for kids to have a little after school job at home, but this "job" should be proportionate to age, size, strength, ability.

It's no fun living in this cage, but from it I get to see lots of things that make me realize that I am not the only unhappy young creature. Many kids are unhappy too, but I shall be a BIG brother to all of them. I shall work for a Child Safe Papua New Guinea. I am Papua New Guinean myself and I want my country to be the best and safest place on earth for kids to grow up in.

And so I invite you to look for "Big Koko's Kona" ... in next month's edition of this great niuspepa! I send you lots of happy kokomo good wishes from my cage.

*Big Koko*

## Marriage between a Lutheran and a Catholic

ON 22 March, Lutherans and Catholics met at St. Mary's Cathedral in Lae to celebrate the goodness of Christian marriage. Bishop Giegerer Wenge for the Evangelical Lutheran Church and Bishop William Fey OFM Cap for the Catholic Church in Papua New Guinea officially signed an 'Agreed Statement on Marriage' between their two Churches.

This agreement is the fruit of years of prayer, consultation, and debate. In addition to the agreed statement they published a guide to be used in marriage preparation programs.

Here is the advise of their Church leaders to Lutheran-Catholic couples planning for marriage:

Best wishes to you both as you plan to be married. We praise God with you for the wonderful gift of God that marriage is. As you prepare to marry, you are thinking about your relationship as husband and wife and about the relationships that develop between your two families and clans.

As Christians, your marriage also includes God's relationship with you! Your marriage in the church affirms this holy relationship.

Lutherans and Catholics in Papua New Guinea have made a commitment together to follow the teaching of Christ on marriage.

In that commitment together, we want to support Lutherans and Catholics who are preparing for marriage.

### Physical and spiritual beings

God created human beings to be both physical and spiritual beings.

If we separate the physical from the spiritual in our lives our relationships with others and with God become destructive.

When we follow God's design for us as both physical and spiritual beings, we will be responsible in our sexual behaviour as married and unmarried people.

This means faithfulness to our spouse within marriage and abstinence outside of marriage. This is God's design for a good and fulfilling life.

Marriage is a special call from God to come together as husband and wife, and God supports the married couple in their married life with his love – a love that is creative, redemptive and sanctifying.

Marriage is a gift of God from creation which is for our human good and happiness.

Husband and wife share love and companionship with each other (Genesis 2) and share with God in creating and nurturing new life when children are born to them (Genesis 1).

Sexual activity of a married couple is holy. It is a special expression of the fact that husband and wife have become "one flesh."

Marriage is a lifelong public covenant of faithfulness to each other.

A man and a woman make a free solemn vow and promise of enduring, exclusive love and mutual self-giving.

When baptised Christians commit themselves to each other in marriage their relationship is a symbol of God's relationship with us in Christ and of the compassionate and constant love of Christ for his Church. Husband and wife commit to love and honour one another, offering mutual support in difficult as well as happy times.

When children are born to a married couple, they are called to be responsible parents – loving, supporting and guiding their children. Parents especially need to take responsibility for raising their children in the Christian faith.

### Marriage in the Church

When you are preparing to marry, we encourage you to make contact early with your congregation, pastor and priest.

Both your Catholic priest and Lutheran pastor can help to prepare you for marriage.

We respect the faith of each spouse in marriage and do not demand that one spouse convert and join the other's church.

We, however, invite and encourage you to discuss and come to agreement about the baptism and Christian education of the children you will have.

We respect each other's rite of marriage.

You will need to decide in which church your marriage will be celebrated.

With the agreement of their churches, a Catholic priest or deacon may participate in the Lutheran marriage service or a Lutheran pastor may participate in the Catholic service.

There is to be only one marriage ceremony, and the presiding minister is the one in whose church the marriage is celebrated. He is the minister who receives the marriage vows.

At the invitation of the presiding minister, the minister of the other church may offer prayers, read from the Scriptures, give a brief encouragement and bless the couple.

The marriage shall be recorded in the church registry books and a certificate of marriage be given to the married couple.

We also encourage that marriages in our churches be registered by civil law.

### A Christian family

We are committed to providing pastoral care and help to you as a married couple.

While there are differences between Catholics and Lutherans, we share together the Scripture as God's Word for us.

We also share the common beliefs of the early Christian Creeds.

It is important to us both that Christians regularly come together with the Body of Christ to worship and praise God, and to be faithful in prayer.

It is also important to acknowledge our need for forgiveness from God and from one another, and to be people who witness to the gift of God's grace in our lives.

As baptized Lutheran and Catholic Christians wishing to marry in the church, your marriage bond takes on a new meaning as a sign of Christ's love for his Church.

God's Word will give you the grace to be faithful and mutually forgiving in your marriage.

Your marriage in the church, grounded in your Christian faith, will support your love, strengthen your commitment to your vows and provide happiness in your married life. (22 March 2014)

## 80 years young

By Sr Benedikta Werang SSpS

Sr Ehrentrude Pretzl SSpS, an Austrian by birth (7 March 1934), a Catholic by baptism, a teacher by profession, a missionary Sister by choice and grace, and in her heart a Papua New Guinean.

She was born sixth of seven children of farmers Anton and Anna Anetseder.

Her Primary school years were overshadowed by World War Two from which, however, her four brother soldiers gratefully managed to return.

After the war she completed High School and was trained as a teacher.

At the same time the passage from Matthew's gospel, "Go into the whole world, teach all nations, make them my disciples and baptize them" haunted her.

There were stories in the missionary magazines about Papua New Guinea that caught her attention.

She joined the Sisters Servants of the Holy Spirit (SSpS) in 1954. Three years later she travelled to Australia.

Her proficiency in English was not good enough to be a teacher there, so in 1958 she was assigned to Papua New Guinea. She arrived in Alexishafen, Madang in February 1959.

Within these fifty-five years of her missionary life she has been to a number of mission stations in various capacities as a teacher, a pastoral worker, superior of the convents, Christian education coordinator in Madang, Wewak, Enga, Mt. Hagen; and finally in Goroka for an active retired life.

She still carries out pastoral visits; she keeps baking and supplying the 'bread of life' to a number of Catholic and non-Catholic parishes across the country; she still works on tok pisin translation and proofreading. As she turned 80 on 7th March, her song was that of Mary, "My soul magnifies the Lord for the great things he has done in me".

Thank you Sr. Ehrentrude; for this we are grateful to God and proud of you!



Sr Ehrentrude Pretzl, SSpS - 80 years old - 55 years of missionary life in Papua New Guinea.

# Anglicans and Catholics "engaged"

By Fr Kevin Dance  
St Joseph Parish - Boroko

**SOME People have suggested that ecumenism has been asleep for the past few years.**

But this is certainly not true of the commitment by the Churches of Papua New Guinea, particularly the Anglican, the Lutheran and the Catholic Churches.

So, on a recent Sunday afternoon at the end of February, the Anglican and Catholic dioceses of Port Moresby took the time to lay another sturdy plank in the floor of unity.

To mark the 10th anniversary of the signing of the Covenant between our two churches, we gathered from several Catholic and Anglican parish communities at St. Joseph's Boroko to remember and to recommit ourselves to work together towards a deeper unity in Christ.

The Covenant was originally signed at St. Martin's Anglican Church in Boroko.

This time it was St. Joseph's turn to host the gathering. We prayed together.

We sang together and we later ate together.

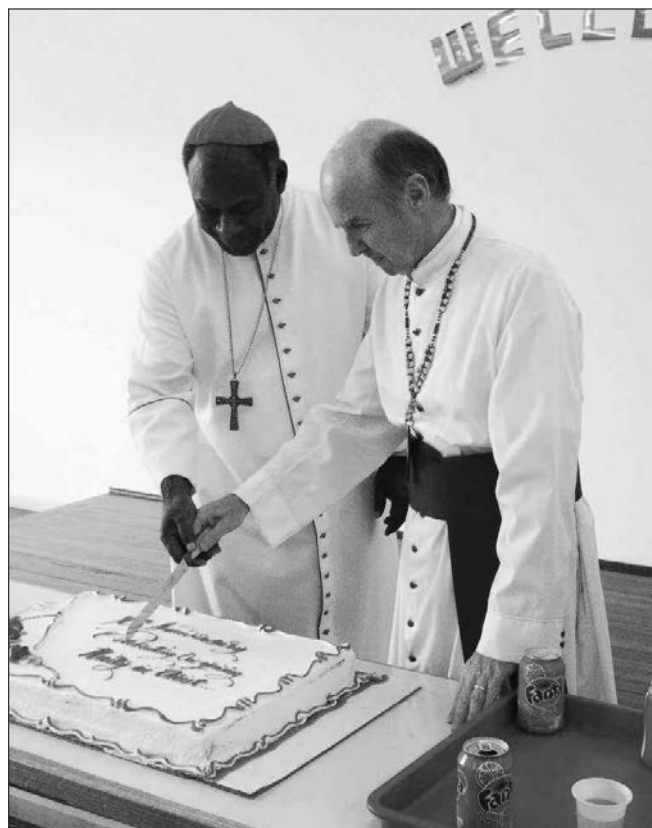
Anglican Bishop Peter Ramsden and Catholic Archbishop John Ribat cut an anniversary cake accompanied by much clicking of cameras.

Bishop Peter suggested that, while we were not celebrating a marriage, we were at least celebrating an engagement!

In part the Covenant says "We resolve to strengthen our unity in Christ and our commitment to eventual full communion."

Some of the practical ways to work for this are working together on matters of social concern; joint programs to strengthen family life and other Christian relationships; encouraging prayer for a wider unity especially through the Week of Prayer for Christian Unity from Ascension to Pentecost.

With so many divisive forces at work in our country, it was wonderful to have a moment when we could come together as friends and see our differences, not as a threat, but as a gift.



Catholic (left) and Anglican (right) Bishops for Port Moresby, John Ribat and Peter Ramsden, cut the cake on the tenth anniversary of the Anglican-Catholic Covenant at St. Joseph's - Boroko on 23 Feb 2014.

## Missionary sister now a chief

THE Catholic diocese of Alotau and the people of Milne Bay province celebrated on 27-28 March 2014 the official opening and blessing of two big projects of the Australian Incentive Fund in remote areas.

The first was at Santa Maria Secondary School in Watuluma, Goodenough Island, run by the Indian Missionary Sisters of the Immaculate (MSI), which received a funding of over K4 million; and the second the Sideia Health Centre, which received K5.3 million.

The Watuluma Secondary School project consists of the following completed facilities: clinic; computer lab/VSAT/computers; grade 12 classrooms; single quarter flats; practical skills; market; staff houses; grade 12 boys new dormitories; boys new

ablation; and, grade 12 girls new dormitories.

The Sideia Health Centre has now been equipped by the Incentive Fund with a new jetty and road; new staff houses; and new sanitary equipment.

At Watuluma, after presenting gifts to the guests, the local community held a simple ceremony making Santa Maria Secondary School Principal, Sr. Bridgit Suwakeen MSI into a chief for her tremendous contribution to the realization of the project.

Mr. Lino Casali, a 75 year old lay missionary volunteer from Italy, was also highly commended for supervising the construction works, which were done through the help of the local students and community.

Present in both occasions

were the Catholic Bishop of Alotau, Rolando Santos; Milne Bay Governor Titus Philemon; Minister for Development Cooperation, Australian High Commission PNG, Stuart Shaefer; and Program Manager of Incentive Fund, Paul Constable.

Member for Alotau and Minister for National Planning Charles Abel joined at Watuluma.

Bishop Santos acknowledged not only the Incentive Fund and the people and government of Australia, but also the great contribution made by the local people, the landowners, the workers, parents, students and teachers, and especially the Missionary Sisters of Watuluma and the Filipino Rogationist Fathers of Sideia. **(Source: Bp. Rolando Santos CM)**

## Statement by the PNG Council of Churches MANUS CENTRE A NEW FORM OF HUMAN TRAFFICKING

AS members of the PNG Council of Churches, we cannot be silent on the issue of the Manus detention centre. We are a compassionate people motivated by Christian faith, who are deeply concerned about those who need protection and security. But to allow asylum seekers against their will into our country, and imprisoning people who have not broken our laws appears to us a new form of human trafficking.

As Papua New Guineans we are rightly proud of the protection guaranteed by our Constitution to all people, citizen and non-citizen alike. So is it right to allow people across our borders and place them in detention against their wishes? Is it right to do so without proper consultation with our people, particularly the people of Manus? We resist the temptation to disregard the values enshrined in our Constitution in exchange for monetary or material gain.

We regret the way that Papua New Guinea has become an accomplice in a very questionable handling of a human tragedy. The detention centre in Manus seems a cruel campaign that involves Papua New Guinea and its people in problems that are not of our making.

Until our concerns are addressed, we request that the churches have access to detainees, some of whom are Christians, and that there be a representative of the Churches on the proposed independent eminent persons group. We also support the initiative of Justice David Cannings to enquire into human rights at the detention centre.

Yours faithfully,  
Fr. Denny Guka  
President, PNG Council of Churches

28 March 2014

## A step closer to the PNG & SI Pastoral Plan

By Fr Roger Purcell

THE Conference Pastoral Plan is progressing with the contribution of many people.

The committee convened and facilitated the Planning Workshop in early March with the assistance of a priest from Italy as outside facilitator, Fr. Enzo Caruso.

The meaning of our Conference Pastoral Plan is to give a common goal that can be carried out by the single dioceses in their own way.

Specifically this means that this Plan is to rediscover, on behalf of the Churches in PNGSI, a renewed identity as Church of **PROPHECY**, by prioritizing **EVANGELIZATION** and letting it become the key to the entire **MISSION**.

The overview of the Plan has 3 major Areas indicating the life, identity and mission of the Church:

1. **We are Church, Proclaiming**
2. **We are Church, Sanctifying**
3. **We are Church, Serving**

### We are Church, Proclaiming

Here is the very important area of Evangelization, which the Church is calling us to in a new way in the new situation of the world today.

This is a great challenge to us as we do not have yet in the Church people trained and organized for this, or the structure to work through.

We are very strong in catechesis, sacraments and service and are well organized for these. How do we, as Catholics evangelize? In and through all the other things we do; yes.

But many people are not present for catechesis, sacraments or our services, so we have to reach out to them in a new way.

The world is becoming more secular with no time for God, church or spiritual life: there is a world becoming more pagan which cries out for values and a vision of life.

The world is today as it never has been before, searching for the meaning for life and a vision to guide it. Our answer to this is Evangelization.

We cannot solve political, economic or social problems, but we have the message of the Gospel.

We have to find the strategy to bring this

to the world to answer the cry of people today, and transform the world.

### We are Church, Sanctifying

We are the holy people of God called to be holy so as to make the presence of the holy God real and alive in the world.

As the Hebrews were the Chosen People, so we are chosen and called to make our God present in the world.

Today we are called to be Church, Mystery of Communion, and we must seek to understand this, be converted to live communion day by day in our communities and witness to this in the world.

In the Area of our Plan we have our sacramental, liturgical and spiritual lives and how we seek to strengthen and deepen it.

This asks of us to move beyond external expressions and words to a deeper commitment to Christ in the Church to a greater understanding of liturgy, sacraments and prayer; a more genuine expression and living of it in a world fascinated by the world of material things, entertainment, careers and so on.

### We are Church, Serving

We have great systems of service in which we have invested many resources of people, finance and materials, and we do great work here.

Our systems of health, education, pastoral care and administration provide service to many people, which are recognized by other churches and government.

We will continue to develop all these levels of service with emphasis on the spirituality of communion and our mission to evangelize as prophets in the world.

Most importantly we will seek to answer the many needs for justice, peace and integrity of creation. While many in the church have taken important initiatives in these areas we lack organized, systematic and ongoing programmes and structures to offer better service for justice.

To do this we need to become people of justice, seekers of peace and a church of the poor.

We continue to pray, reflect, think and discuss how all of us can take our part to become the people, the Church, that God wants us to be, and to carry out our mission in the world.

# Jiwaka police saw terror in Simbu

By Fr Christian Sieland  
Kundiawa

ON Saturday 8 March, we picked up eight women from the shabby cells of Minj police station in the central highlands province of Jiwaka.

It was another case of police brutality.

The women had been detained three days earlier together with 21 men during a raid conducted between Koronigle and Waingar in Simbu, along the Highlands Highway.

They were randomly picked up and detained by Jiwaka police in Minj.

Most of those arrested were mourning the death of one of their local leaders who was assaulted at Molka Lodge in Minj, and died some weeks later due to the injuries he had sustained.

The slow response of the police in relation to the attack and death of that man and the escape of the main culprit led some of the frustrated relatives and mourners to attack some police vehicles and officers who were on the way back to Minj after a post mortem conducted on the victim in Goroka.

It was a stupid act by some stupid men with terrible consequences for the whole village.

The next day, police from Jiwaka drove in a long convoy of police ve-



Some of the women recently victimized by police in Simbu.

hicles towards Koronigle and Waingar and jumped out of their vehicles fully armed with guns, machetes and sticks.

In their rage, they ran amok, shooting teargas, threatening people at gunpoint, stopping travelling cars at gunpoint, pointing guns at women and old people, beating up people at random, destroying food gardens, burning houses, killing pigs, looting stores, confiscating alcohol and arresting people at will.

During this operation, they might have arrested some of those responsible for the attack on the police vehicles but most of the people

arrested were mourners.

Some of them were from other parts of Simbu who happened to be at the hauskrai on that fateful day.

Some people were not even at the hauskrai when arrested. They were at home, in their gardens or at the market.

One of the women arrested, who I know very well, was walking with her bilum from her garden when she was stopped, pushed to the ground, kicked all over her body and thrown into the police vehicle. Her garden was several hundred metres away from the hauskrai.

These people were innocent and

had nothing to do with the attack on the police; they were just at that place at the wrong time. They received unimaginable treatment at the hands of the Jiwaka police.

From a so-called disciplined force one would expect a more diplomatic, intelligent and peaceful way of confronting such an issue.

But instead their rampage and destruction did not reflect any sign of discipline. They behaved more like chaotic hooligans and criminals in uniform.

There was not even a single sign of ethical, humane conduct in the operation, and no respect for the human rights of their fellow citizens, especially mothers and the elderly.

I was shocked to tears when I heard the story of the women and saw the evidence of the treatment they received at the hands of the male and female officers in the Minj cells. They received Guantanamo-like treatment.

The physical injuries were shocking, but these women also have to deal with the psychological injuries and trauma.

Some of them told me that even looking at an officer in blue causes them to tremble.

Two of the women arrested were still breast feeding. They had to fill up bottles with their milk to be taken to their babies back home.

Another woman was three

months pregnant. She showed me a black spot from a police boot at her back. All the women had cuts and bruises all over their faces and bodies.

What really shocked me was to see cigarette burns on the arms and faces of the women. They were beaten up several times inside the prison and even outside in front of crowds, sprayed with cold water and told to sing 'This is the day' or the National Anthem.

Doctors and medical treatment to treat the wounds were not allowed by the police.

Our police force does not have the best reputation because of such undisciplined displays all over the country.

They should be trusted by the people but instead people are afraid of the police.

They have treated women and mothers and men like hardcore criminals without any previous trial or evidence of involvement.

I really hope that those responsible for the attack will be brought to justice to "face the full force of the law" (as the police likes to say).

Enough is enough! If they continue to treat their fellow countrymen and women in such a way, the police force should not be surprised to see in the near future an equal 'eye for an eye' reaction from the hands of those whom they have actually pledged to protect.

# UN shed light on death penalty issue

By Christof Heyns  
UN Special Rapporteur

DURING my visit to Papua New Guinea, I was informed about the legislative amendments certified in September last year to the Criminal Code on the death penalty, which expands its application by two, allowing it in respect of a total five criminal offences, including aggravated rape and killings related to sorcery accusations.

There are various allegations in the country about the Government's intention to start executing the capital punishment as a response to the high level of violence in the country. As far as I am informed, 13 individuals are on death row.

While I acknowledge the magnitude of the challenge that the Government faces when addressing the high levels of killings and violence in the country, I am of the opinion that the death penalty is not the adequate answer to this situation.

It provides a false sense of security and diverts attention from the real long term solutions such as better policing, development and education.

## Abolitionist State

At present, Papua New Guinea is considered a de facto abolitionist State at international level with regard to the imposition of the death penalty.

The last execution in the country occurred in 1954. As a consequence, Papua New Guinea stands among the majority of countries worldwide who do not resort to the use of capital punishment.

I strongly encourage the Government to maintain this international positioning of Papua New Guinea, and refrain from any use of the death penalty. There is a sustained global trend to move away from the death penalty because its weaknesses are now widely recognised.



Christof Heyns is a Professor of Human Rights Law, Co-director of the Institute for International and Comparative Law in Africa at the University of Pretoria and United Nations Special Rapporteur.

From the point of view of international law on the imposition of the death penalty in countries which have not yet abolished it, I am concerned that the current content of the legal provisions in Papua New Guinea, as amended last year, and their implementation would lead to numerous violations of international standards in this regard, in case the death penalty is executed.

In this regard, international law requires that the death penalty may be imposed only in a context of a stringent functioning of the law and order system, so as to ensure the highest respect of due process and fair trial guarantees for the defendants, at least equal to those provided in article 14 of the International Covenant on Civil and Political Rights.

## Weak legal system

During my visit, I was informed about numerous shortcomings per-

sisting in this field in Papua New Guinea, such as extraction of confessions under duress, ill-treatment of persons in custody, lengthy proceedings, or high levels of corruption among various authorities. The imposition of the death penalty in such conditions would be violating international law.

Furthermore, the right to appeal is a crucial right that needs to be applied to all defendants.

According to the information I received, at least one of the 13 individuals who is currently on death row received a death sentence on appeal before the Supreme Court.

I was informed that the decisions of the Supreme Court in Papua New Guinea cannot be appealed. If this is the case, the execution of those who were sentenced to death at the level of the Supreme Court only, would be in violation of international law, if their right to appeal the death sentence is not ensured.

International law also requires that the death penalty is imposed only for the most serious crimes, which is interpreted to include only the crime of intentional killing. The current domestic provisions providing for the death penalty for the offences of aggravated rape, piracy or treason, are thus contrary to international standards, unless they result in intentional killing.

The legal framework regarding the death penalty in Papua New Guinea apparently also lacks provisions that would prohibit the imposition of the death penalty against juvenile offenders, pregnant women, new mothers, and persons with psycho-social disabilities, thus opening the avenue for another violation of international standards in case such individuals are im-

posed the death penalty.

Furthermore, the current text of the Criminal Code Amendment Act, providing for the death penalty in cases of willful murder, killings related to sorcery accusations and aggravated rape may be interpreted as imposing the capital punishment in a mandatory way. The mandatory imposition of the death penalty is contrary to international standards.

## Not a deterrent

Furthermore, with regard to the argument that the death penalty would deter the society from further violence, I remain unconvinced of such possible effects.

In addition to studies at international level which prove that the death penalty is not necessarily an effective deterrent of crime, several interlocutors shared with me the opinion that the death penalty actually might entail in Papua New Guinea further killings, given the spread of the so-called "pay-back" culture requiring an individual to return to other persons the same level of treatment that he or she received.

While I condemn the existence of the "pay-back" culture in all its forms, I acknowledge that its scale in Papua New Guinea might lead to further killings in case the death penalty is executed. I heard also from some members of the judiciary that they would be very cautious in imposing the death penalty, due to fear of lethal reprisal against them or their families.

(From 'Preliminary Observations on the official visit to Papua New Guinea by Mr Christof Heyns, United Nations Special Rapporteur on extrajudicial, summary or arbitrary executions, 3-14 March 2014.



MUCH LOVED AUSTRALIAN CATHOLIC LEADER AND FRIEND OF PAPUA NEW GUINEA DIES OF CANCER

Bishop Michael Putney was in Port Moresby with a delegation from Townsville on 2-5 August 2012 for the signing of the 'Sister Relationship Program' between the two dioceses. A couple of weeks later a delegation from Port Moresby, led by Abp. John Ribat reciprocated the visit. The goal was that of fostering cooperation in the fields of Liturgy, Education, Youth ministry, Family life, and Health services. Late in 2012 Bp. Michael was diagnosed with cancer. At a meeting with clergy in Brisbane last January he called his year with the killing sickness in 2013 "one of the most amazing of my life". With great faith and renewed missionary zeal he also said, "I felt it was a very fruitful year for our ministry in Townsville." He died peacefully in hospital in the early hours of Friday 28 March 2014, aged 67 years old.