

**Action Canada for Population and Development  
Human Rights Council - 49th Session  
Outcome of the Universal Periodic Review- Papua New Guinea**

Thank you, Mr President.

Action Canada makes this statement on behalf of Kaleidoscope Human Rights Foundation and the Sexual Rights Initiative.

We welcome the numerous recommendations made to Papua New Guinea on the decriminalisation of consensual same-sex sexual relations, extending non-discrimination grounds to include sexuality and gender identity, and on effectively investigating and addressing police misconduct including sexual violence. We urge Papua New Guinea to accept these recommendations and to meet its obligations to respect, protect and fulfill the human rights of LGBTQI people.

Papua New Guinea's continued criminalisation of consensual sexual acts between men, fuels quasi-legal discrimination and stigmatisation against all LGBT people, including refugees within detention centres, and reinforces negative stereotypes. Criminalisation fosters impunity amongst public service providers such as healthcare workers and the police. The latter routinely subject these communities to physical violence, sexual abuse, and blackmail.

Law enforcement also selectively enforces offences under the HIV/AIDS Management and Prevention Act 2003, which criminalises transmission of HIV. This criminalisation coupled with healthcare worker prejudice, particularly when presented with possible sexually transmitted infections, creates an additional barrier to accessing health care services and contributes to the high prevalence of HIV among this community.

LGBTQI people in Papua New Guinea continue to experience unemployment disproportionately. In particular, there are no legislative provisions, whether within the *Employment Act 1978* or more broadly, that prohibit discrimination in employment on the grounds of sexual orientation, gender identity and expression, or intersex status.

We call on Papua New Guinea to:

- Decriminalise sexual relations between men.
- Amend the Constitution to include sexual orientation and gender identity and expression as protected grounds
- Introduce laws and policies to prohibit discrimination on the basis of sexual orientation, gender identity and expression, and intersex status in areas such as healthcare, access to the justice system, housing, education, and employment.
- Monitor police treatment of LGBTQI persons and establish mechanisms to hold police accountable for harassment and impunity.
- Decriminalise HIV transmission

Thank you.