

---

# amnesty international

---

## PAPUA NEW GUINEA

### Peaceful demonstrators risk imprisonment

23 May 1997  
Action ref: PIRAN 1/97

AI INDEX: ASA 34/05/97  
DISTR: SC/CO/GR

#### Introduction

Four men are facing criminal charges for their role in organising peaceful demonstrations to protest the use of mercenaries against armed rebels fighting on the island of Bougainville in Papua New Guinea (PNG). If tried and convicted, the four men would become the first prisoners of conscience in PNG since the country's independence in 1975, marking a serious setback for freedom of speech and assembly there.

The four men are lawyer Powes Parkop, General Secretary of PNG Watch Council Jonathan O'ata, worker at the Individual and Community Rights Advocacy Forum (ICRAF) John Kawowo, and student activist and volunteer with the PNG Watch Council John Napu. They have been charged in connection with demonstrations in March 1997 against the PNG Government's plan to use foreign mercenaries to put down an armed opposition group fighting in the province of Bougainville. All four men are either volunteers or paid workers with non-governmental organizations (NGOs) which engaged in protest activities against the use of the mercenaries. While the military actively supported these protests, there is no evidence to suggest that the NGOs themselves engaged in or advocated any violent activities. Amnesty International is concerned that the four men are being charged for peacefully exercising their rights to freedom of assembly. The organization is further concerned that their arrests reflect a threat to civil and political activities in PNG, a country which has so far enjoyed an open political climate.

Amnesty International is calling on the authorities to drop the charges of unlawful assembly against the four men and to halt any further arrests of individuals engaging in peaceful protest activities.

## **Background**

The four men - Powes Parkop, Jonathan O'ata, John Kawowo and John Napu - are facing charges in relation to demonstrations in March 1997 against the use of foreign military personnel in the PNG province of Bougainville - some 1,000 kilometres from the PNG capital of Port Moresby - where since 1988 the government has faced armed opposition from the Bougainville Revolutionary Army (BRA).<sup>1</sup> The conflict in the province of Bougainville has resulted in the deaths of more than 7,000 civilians as a result of the fighting or because of a lack of medical facilities. Both government security forces and the armed opposition have committed human rights abuses.

In February 1997 information emerged that the PNG Government had signed a contract with Sandlines International, a Bahamas-registered company with an office in London, to provide foreign military personnel in Bougainville. The government maintained that the military personnel would not be involved in direct front-line operations. However, the contract signed with Sandlines International, which was later leaked, revealed that the mercenaries were to be used on Bougainville in a front line capacity. Protest against the use of the mercenaries emerged quickly, including from regional governments. On 17 March the PNG Defence Force Commander, Brigadier-General Jerry Singirok, called for the PNG Prime Minister, Sir Julius Chan, to resign over the issue. The Commander publicly stated his opposition to the plan to use mercenaries, citing instead the need for adequate funding for the PNG Defence Force (PNGDF) already operating on Bougainville. The Prime Minister responded by sacking the PNGDF Commander, but many soldiers within the PNGDF remained loyal to Brigadier General Singirok.

The government's actions and the popularity of the sacked PNGDF Commander sparked protests in the capital, Port Moresby, which were actively supported by several NGOs and members of the PNGDF loyal to Brigadier General Singirok. Demonstrations took place in two areas, PNG's Parliament House and the military headquarters at Murray Barracks. There were two days of rioting and looting on 19 and 20 March. On 20 March 1,000 people were reported to have been involved in looting and several people were wounded as police dispelled the crowds. In another incident, police fired tear gas into Murray Barracks where troops loyal to Singirok were gathered. With these exceptions the demonstrations were largely peaceful, including a demonstration on 23 March involving up to 6,000 people, accompanied by armed soldiers, which took place outside the PNG National Parliament. Several non-governmental organizations participated in these demonstrations.

On 26 March PNG's Prime Minister stood down pending an independent commission of inquiry into the Sandlines International contract. The Commission's findings are expected to be handed to the Acting Prime Minister by 31 May.

## **The raids and arrests**

In the early hours of 5 May 1997, some six weeks after the demonstrations, the offices of three PNG non-governmental organizations were raided by the police. The raids were

---

<sup>1</sup>For more information about Amnesty International's concerns about human rights violations on Bougainville see [Bougainville: The Forgotten Human Rights Tragedy](#), 26 February 1997, AI Index: ASA 34/01/97.

conducted by three separate groups of police, each including about 20 police from the Criminal Investigation Department (CID) and a police riot squad. The police are believed to have been armed. On each occasion the police brought with them search warrants which authorised the search and confiscation of books, documents and computer diskettes connected with recent “unrest” concerning the contract signed by the PNG Government and Sandlines International.

The first raid, on the office of the PNG Watch Council, in the Port Moresby suburb of Boroko, took place at around 3.30 am. The General Secretary of PNG Watch Council, Jonathan O’ata, was arrested without a warrant during the raid and taken to the Boroko Police Station. The police also confiscated documents and other items including books, leaflets, stickers and computers.

The office of the Individual and Community Rights Advocacy Forum (ICRAF) in Gerehu, Port Moresby, was searched also at around 3.30 am. Documents relating to the Sandlines International contract and Bougainville along with computer diskettes were confiscated by the police from the ICRAF office.

The raid on the PNG Trust office occurred at around 5 am in the Rainbow Village area of Port Moresby. The search lasted three hours. PNG Trust challenged the legality of the seizure of the documents and disks which have since been returned to the NGO. Both of these search warrants had the additional requirement that the offices be searched for “*firearms and ammunition kept illegally*”.<sup>2</sup>

The exact reason for the police action remains unclear, and the police have, at times, given contradictory information. At a press conference held after the raid, the police were reported to have stated that the raids were also in connection with PNG’s forthcoming national elections and were “*targeted at areas and residences suspected of having illegal arms and ammunition*”.<sup>3</sup> The police have also stated that certain non-governmental organizations, including ICRAF and the PNG Trust, were being targeted for questioning by the police in relation to illegal gatherings.

Jonathan O’ata remained in custody overnight on 5 May. On 6 May, two other NGO activists, John Kawowo, from ICRAF, and John Napu, a student activist and volunteer with the PNG Watch Council, were arrested when they went to the Boroko Police Station to demand the release of documents seized during the raids and to apply for bail for Jonathan O’ata. The two were released on bail later that day along with Jonathan O’ata. All three have been charged with unlawful assembly.

On 12 May, a fourth person, Powes Parkop, the Executive Director of ICRAF, was arrested when he went into the Boroko Police Station as instructed by the Public Prosecutor.

When he arrived there he was informed that he would be charged and then taken to a magistrate where he was formally charged. Powes Parkop is charged with two counts of unlawful assembly, on 25 and 26 March at the PNG Parliament. He has been released on his own recognisance.

---

<sup>2</sup> Post Courier, 7 May 1997.

<sup>3</sup> Post Courier, 7 May 1997.

The four men have been charged under Article 64 of PNG's Criminal Code which punishes unlawful assembly with a maximum sentence of one year in prison. Article 63 of the Criminal Code defines "unlawful assembly" as gatherings of three or more people which disturb the peace or where there is a fear on reasonable grounds that the gathering will disturb the peace or where others are provoked to disturb the peace. All four appeared for mention before a District Court on 21 May. The case was adjourned until 25 June pending police completion of the charges against them. The police must now submit files against all four men to a District Court in Port Moresby which will decide if there is any substance to the charges. If the District Court considers there is a case, the four will be tried in PNG's National Court.

There are fears that other individuals face arrest or charges. The police are believed to have a list of individuals that they wish to investigate in relation to the Sandlines demonstrations. The Commander of Police for the National Capital District was reported as confirming this, but stated that other arrests would depend on further police inquiries.<sup>4</sup>

The raid and the charges against the four men have received widespread condemnation in PNG. The Speaker of PNG's parliament, Sir Rabbie Namaliu, has criticised the arrests, raising questions about the timing of the raids and the arrests, more than one month after the demonstrations against the mercenary contract. The leader of the PNG Trade Union Congress has also expressed its concern about the raids. Newspaper editorials have also strongly condemned the police action.

Amnesty International is concerned that the raids on the NGO offices and the arrest and charging of the four men indicate a disturbing new trend in which the PNG authorities seek to hinder peaceful NGO activities. The organization is further concerned that the four men are facing a potential prison sentence for their entirely peaceful participation in demonstrations against the use of mercenaries on Bougainville. The use of Article 64 to arrest and charge the four men appears to be an attempt to use legislation selectively to punish peaceful political activity. The demonstrations which took place during which the four are alleged to have engaged or provoked "unlawful assembly" were attended by several thousand people. There were acts of rioting on the periphery of the demonstrations but it does not appear that any charges have been laid against individuals for violent acts. Amnesty International is concerned that the authorities have targeted the four men and the NGOs which they represent because of their role in organising demonstrations against the contract between the PNG Government and Sandlines International to deploy mercenaries on Bougainville.

If imprisoned, the four men would be considered by Amnesty International to be prisoners of conscience - imprisoned for the peaceful exercise of their political beliefs. Amnesty International is therefore calling on the PNG authorities to immediately drop the charges against Powes Parkop, Jonathan O'ata, John Kawowo and John Napu. The organization is also calling on the PNG Government to ensure that PNG non-governmental organizations are not at risk of further arbitrary intimidation on the basis of their peaceful activities.

---

<sup>4</sup>Post Courier, 13 May 1997.

- Please send telegrams/telexes, faxes and airmail letters in English calling on the PNG
- authorities to drop the charges of “unlawful assembly” against Powes Parkop, John Kawowo, Jonathan O’ata and John Napu;
  - ensure that there are no further arrests of individuals for their entirely peaceful opposition to the use of mercenaries on Bougainville;
  - ensure that non-governmental organizations are not at risk of arbitrary intimidation on the basis of their peaceful political activities.

*Please send appeals to:*

**Acting Prime Minister**

Acting Prime Minister The Honourable John Giheno  
Office of the Prime Minister  
PO Box 6605  
Boroko, NCD  
Papua New Guinea

Fax: +675 327 6540/327 6629/327 7328

*Please send copies of your appeals to the following PNG national newspapers:*

**POST COURIER**

The Editor  
PO Box 85  
Port Moresby  
NCD  
Papua New Guinea Fax: +675 212 721/320 1781

**THE NATIONAL**

The Editor  
PO Box 6817  
Boroko  
Papua New Guinea Fax: +675 324 6767/6868

**KEYWORDS:** POLITICAL ACTIVISTS1 / LAWYERS1 / DEMONSTRATIONS1 / BANNING / STUDENTS / NON-GOVERNMENTAL ORGANIZATIONS / ELECTIONS / ARMED CONFLICT /

**INTERNATIONAL SECRETARIAT, 1 EASTON STREET, LONDON WC1X 8DJ, UNITED KINGDOM**