

URGENT ACTION

PAPUA NEW GUINEA PLANS FOR EXECUTIONS

A new law adopted by the Papua New Guinea parliament increases the scope of the death penalty and number of execution methods. This has prompted fears that executions might resume and heightened concerns about the fate of at least 10 prisoners under sentence of death.

The Criminal Code (Amendment) Act (CC(A)) 2013 was adopted on 28 May 2013. The legislation, which was passed by Parliament with reportedly little debate, adds four new methods of execution. Previously only execution by hanging was allowed – now lethal injection, electrocution, firing squad, and “medical death by deprivation of oxygen” are also legal methods of execution.

The law also expands the scope of the death penalty to crimes including robbery and aggravated rape – in cases when there has been accompanying violence, or the use of dangerous weapons, or more than one person committing the crime. It specifies that the death penalty can also be applied for sorcery-related murder. This crime will now be categorised as wilful (premeditated) murder, an offence that has carried the death penalty in Papua New Guinea since 1991.

While Papua New Guinea has retained the death penalty in law, it has not carried out executions since 1954. Sources have asserted that executions could take place imminently now that these amendments have been passed. Numerous religious groups and women’s organizations in Papua New Guinea, as well as prominent political figures, have publicly opposed government moves to start implementing the death penalty.

Papua New Guinea’s moves towards implementing the death penalty and expanding its scope are extremely retrograde, and go against the global trend towards abolition. They also run counter to recommendations, including in recent United Nations General Assembly resolutions on a moratorium on the use of the death penalty to reduce the number of offences for which the death penalty may be applied.

Please write immediately in English or your own language:

- Calling on the Prime Minister and Minister of Justice to immediately halt any plans to carry out executions, and commute all death sentences to terms of imprisonment;
- Calling for them to establish a moratorium on executions with a view to abolishing the death penalty in line with recent UN General Assembly resolutions;
- Stating that there is no convincing evidence that the death penalty deters crime, and that more effective measures to tackle raising crime rates should be sought, compatible with international human rights standards without recourse to the death penalty.

PLEASE SEND APPEALS BEFORE 16 JULY 2013 TO:

Prime Minister

Peter O'Neill
Office of the Prime Minister
National Parliament, PO Box 639
Waigani, Papua New Guinea
Fax: + 675 323 3903
Email: pmsoffice@pmnec.gov.pg

Salutation: Dear Prime Minister

Attorney General and Minister of Justice

Kereng'a Ku'a, Office of the Minister,
PO Box 591, Waigani, NCD
Papua New Guinea
Fax: + 675 325 9712
Email: attorneygeneral@justice.gov.pg

Salutation: Dear Attorney General

Also send copies to diplomatic representatives accredited to your country.

Please check with your section office if sending appeals after the above date. This is the first update of UA 135/13. Further information:

<http://www.amnesty.org/en/library/info/ASA34/005/2013/en>

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ADDITIONAL INFORMATION

Although never formally abolished, executions have not been carried out in Papua New Guinea since 1954 when the last hanging took place. It is believed that 67 people were then executed by hanging under the Australian colonial administration of Papua New Guinea.

According to the Attorney General, as of 28 January 2013 10 people were under death sentence in Papua New Guinea.

On 14 and 15 May 2013 an unprecedented nationwide protest in the form of a “*haus kra*” (house of mourning) took place against the country’s high rates of violence against women. Leaders of the protest stated however that they “do not support death penalty and violent and inhuman means of punishment as they go against the inherent dignity of the person and are against the Christian principles and values of equality in dignity for all people.”

Following the 28 May adoption of the Criminal Code (Amendment) Act, the Prime Minister stated that among the methods it was considering was death by firing squad, on the basis that the government considered it more “humane and inexpensive than other methods,” and that an execution centre would be attached to a new prison to be built in a remote location. Various governments in Papua New Guinea have over decades discussed increasing the scope of the death penalty rape and other violent crimes.

More than two-thirds of all countries in the world have abolished the death penalty in law or practice. Most recently, in 2012 Mongolia and Benin ratified, and Madagascar signed, the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

In recent years, with the exception of eight reported death sentences in three separate cases in Papua New Guinea since 2009, the Pacific region did not record executions or death sentences. These figures are taken from reported cases in Papua New Guinea, however there may be other unreported cases where the death penalty has been imposed.

The last known execution to take place in the Pacific region was in 1982 in Tonga. Nauru, Papua New Guinea, and Tonga are abolitionist in practice, while Fiji has only retained the death penalty for military crimes. All other Pacific countries are abolitionist for all crimes – their laws do not provide for the death penalty for any crime.

Name: At least 10 prisoners on death row in Papua New Guinea

Gender m/f:

Further information on UA: 135/13 Index: ASA 34/003/2013 Issue Date: 4 June 2013