



Universal Periodic Review (UPR)
for
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Joint NGO Submission

by

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Introduction

This stakeholder's report is a joint submission of the above-mentioned organizations. The Human Rights concerns in this submission relate to the following areas: **Right to Education** (Part One) and the **Rights of People with Disabilities** (Part Two). Each section has recommendations for the Government of Papua New Guinea.

Part One - Right to Education in Papua New Guinea

1. This report on the right to education in Papua New Guinea is based on a survey conducted in schools and villages in PNG to gather information about the status of fulfillment of the right to education in Papua New Guinea (PNG). The total number of people involved in the survey were 219. The survey was conducted in four schools, three villages and four towns across PNG: Yangoru Secondary School, St Thomas Primary School in Yangoru, Wewak town (East Sepik Province), Poposoko Village, Suni Village, Hahela Village, Catholic Education Office, Arawa and Buka towns (Bougainville Province), Divine Word University, Madang (Madang Province), Catholic Diocese in Kiunga (Western Province), East New Britain Province, Morata Settlement and Jubilee Secondary School in Port Moresby (National Capital District). Most of the interviewees were students aged 12-30, as well as teachers, parents and youths in the villages. Although this sample may not represent the whole of PNG, it is a representative voice in PNG and the data supports the claims of this report.
2. This report focuses on the right of children to primary and secondary education that is available and accessible, in line with the Universal Declaration of Human Rights (Article 26) and the Convention on the Rights of the Child (Article 28) and the International Covenant on Economic, Social and Cultural Rights (Article 13), to which PNG is a state party.
3. The Government of Papua New Guinea has done a lot of good work in ensuring the right to education is met for children in the country. This is due to some changes in the government's national policies such as national education policy, national youth policy, disability policy and the child behavior management policy as well as domesticating the Convention on the Rights of the Child into the Lukautim Pikinini Act and localizing the Medium Development Goals (MDG) by establishing the Medium Term Development Strategy (2005-2010). But the voices of children in the survey demonstrate that their right to education is not fully enjoyed as many barriers still exist.
4. Primary and secondary education does not equip children with skills to be useful back in their villages. Basic education does not prepare them well for upper secondary and tertiary studies which they cannot cope with. Girls withdraw from their education or do not attend school, due to cultural beliefs and obligations embedded in society.

Universal Primary Education

5. The Papua New Guinea Education Act No 13 of 1995 (Part 2 Section 1d) aims to make the benefits of such education available as widely as possible. However, the students who took part in the survey revealed they did not have a chance of continuing on to grade 9 as they were discouraged by a lack of sufficient resources in the classrooms, and unskilled teachers. 70% of the children surveyed were also hindered as the number of primary and secondary schools and spaces in classrooms could not

provide for the increasing number of children who needed an education. Children who came from poor families made statements such as “*Parents can’t afford to send children to school*”, “*School fees were too high for families who earned little money*”. By making education free it would enable the right to education to be enjoyed by all without discrimination on the basis of social status or income.

6. A lack of resource materials has been identified as a barrier in *Achieving a better future: National Education Plan (2005-2014)*¹. The document also highlights Papua New Guinea’s commitment to Goal 2 (Achieve Universal Primary Education) of the Millennium Development Goals (MDG).
7. Not having enough resource materials, and missing out on selections, stopped children from attending school and were identified as the major barriers to children continuing their education. For instance only 448 of the 2761 students who did grade 8 in 2004 had a placing in year 9 in 2005, only 290 of the 1040 students who did grade 10 in 2006 got a placing in year 11 in 2007, only 40 of the 326 who did grade 12 in 2008 had a placing in 2009 and only 19 of the 111 of the same group of students had a placing in tertiary institutions in 2010². This is based on Bougainville data and such figures could be similar in other areas in Papua New Guinea.

Social and Cultural factors hindering children’s education

8. The survey identified key factors which hindered children from accessing education. Major ones were “*poor health in a settlement which has no proper water and no clinic*” and “*use of dangerous drugs by adults where adults influence school children.*”
9. Girls are expected to remain in the village whilst men go to school. Parents thought investing in a girl’s education was risky as the girls would get pregnant or marry as soon as they finished school and join the husband’s family, without rewarding the immediate family in return for the hard work rendered. Goal 2 (*the Universal Education Plan*) and Goal 3 (*on Gender Equality*) of the Millennium Development Goals (MDG) promote advancement of women and girls in education, however a lot still needs to be done in this area. The Education Act No 13 of 1995 (Part 2 Section 1, 4(a)) states *the rights of parents to obtain the education which they wish for the children*. The survey found parents do not allow girls to go to school for cultural reasons.
10. The survey revealed that poor health, abuse of drugs and cultural barriers hindered children from accessing schools. Public education awareness could be a better way of addressing drug abuse, promoting healthy living and urging parents to encourage girls to go to school³.

Access to Secondary Schools

11. Many children enrol in big numbers at the start of each academic year. As they continue their education the numbers continue to decrease due to the lack of skills-oriented education that students need. The survey found that children either did not want to attend secondary school or left school because such education would not

¹ Papua New Guinea Department of Education 2004 *Achieving a Better Future* pp.17, 18

² Bougainville Baseline Study on Education, conducted by Marist Asia Pacific Solidarity in partnership with the Catholic Arch Diocese of Bougainville and the Education Department in Bougainville, 2009.

³ The Education Act No 13 of 1995 (Part 2 Section 1, 4(a))

prepare them to be useful in society, in terms of skills when they finished their education⁴. School fees were also a contributing factor in blocking access to further education.

12. There were more youths aged 12-25 years attending school in the past (38%) than there are now (29%). Non-attendance is even higher (33%) than those attending.⁵ Another concern is that basic education, as students perceived it, did not prepare them well for upper secondary and tertiary studies, which they wouldn't cope with. That can be summarized by students' statements: "*some things that were supposed to be taught in Grade 5 were still taught in Grade 7.*" This shows that the subjects taught are repeated in different grades when something more advanced should be taught at a higher level.
13. The social and cultural barriers identified in the survey were similar for those in secondary schools: poor health, drug usage, and girls not going to school because they had to stay home.

Need for Accessibility and Availability of Education

14. Papua New Guinea's total population according to the 2000 National Census was 5,190,786. The majority (87%) live in rural areas⁶. Papua New Guinea still faces the challenge of children missing out on school due to little space in schools, coupled with insufficient student resources, insufficient schools and unskilled teachers.
15. Secondary school students leave school each year with nowhere to go but to return to their families, extending their dependence on their family members⁷. Students surveyed made statements like "*the papers we graduate with mean nothing*", "*even if we continued to universities there wouldn't be jobs available for us.*" More Technical or Vocational training and work placements will help to bridge the gap between qualifications and the need for experience.

Recommendations on the Right to Education

16. Whilst the government's good works in the country are acknowledged, the government of Papua New Guinea is encouraged to consider the following:

16.1 To achieve Universal Basic Education, and according to the international human rights treaties it has ratified, the Government of Papua New Guinea should ensure Primary Education is compulsory and free to all.

16.2 The Government of Papua New Guinea should ensure that Secondary and Higher Education in all its forms should be made generally available and

⁴ Education systems in the Pacific have been focused on the development of young people for formal employment sector particularly the public sector. Young people are particularly at risk of underemployment. The number of young people seeking jobs each year exceeds the number of jobs available. UNESCO Regional Overview April 2005 p.10

⁵ Papua New Guinea National Youth Policy (PNG National Statistics Office) 2007-2017 p.18

⁶ National Statistics Office 2000 National Census

⁷ Out of 80,000 young people who leave school each year the labour force can only accommodate less than 10,000 (Papua New Guinea National Youth Policy 2007-2017 p.19)

accessible to all by every appropriate means, and in particular by progressive introduction of free education.

16.3 The Ministry of Education should provide adequate student resources for primary and secondary schools to assist motivate children’s learning.

16.4 The Ministry of Education should provide sufficient professional training for all teachers.

16.5 The Ministry of Education should increase the number of classrooms and schools to cater for the increasing number of children who need an education.

16.8 The Government of Papua New Guinea should improve public awareness of the importance of education, and of the negative effects of such harmful social and cultural factors as drug abuse and poor health.

16.8 The Ministry of Education should continue to expand vocational institutions to assist young people who can’t find employment in the formal sector.

16.9 The Government of Papua New Guinea should ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and its Optional Protocol.

16.10 The Government of Papua New Guinea should invite the UN Special Rapporteur on Education to visit and assess the state of education in the country.

Part Two - Rights of Children and Adults with Disabilities, in Papua New Guinea

17. This report on the rights of people with disabilities in Papua New Guinea is based on research in 2010 by Callan Services National Unit (CSNU), centred in Wewak, Papua New Guinea. The research consisted of: (1) written reports by CSNU staff on their visits to 17 Resource Centres, in 17 (out of 20) provinces in Papua New Guinea; (2) written reports of the National Coordinator and four Regional Coordinators on the National Education and Health Hearing Project (2008 – 2010), conducted in 13 provinces; (3) information-gathering at a 4-day National Gathering of over 25 staff of Callan Services, from 17 provinces; (4) information-gathering at a National Conference of Principals of the 21 Special Education Resource Centres in Papua New Guinea; (5) written submissions from four Callan Services Special Education Resource Centres. Callan Services provides Inclusive Education and Community-based Rehabilitation services to children and adults, for prevention of and response to disabilities.
18. Papua New Guinea has very good legislation and policies that can assist the country to ensure that the rights of children and adults with disabilities are fully respected, and that they can fully participate in the life of the country. Some examples are: The Lukautim Pikininni Act (the Child Welfare Act) and the Policy on Disability Act. The Education Act has very positively enshrined Inclusive Education Provisions⁸. The Government has committed itself again (in 2009) to free Universal Basic Education from Elementary to Grade 12.

⁸ Department of Education, Vision and Mission, <http://www.education.gov.pg/> accessed Oct 27, 2010

19. However, the Papua New Guinea Vision 2050⁹, derived from the National Strategic Plan Framework, makes no direct reference at all to the rights of people with disabilities.

Health Services for People with Disabilities

20. Knowledge and skills of health workers is low in relation to the conduct of programmes for the prevention of hearing and sight impairment, early identification, and treatment of health difficulties¹⁰. There is a lack of technical equipment for early identification and identification at an older age. All these problems are greater in more remote areas, where most people live¹¹.

Education of Children with Disabilities

21. There is a lack of suitable accommodation for students with physical disabilities and lack of government resources (finance) to provide access to school facilities (toilets, showers, classrooms) and accommodation for them.
22. Staff knowledge and skills to ensure the inclusion education of children with low vision or blindness, hearing impairment and profound deafness are limited¹². Students in most Teachers Colleges (Diploma in Primary Education) receive some introduction to Special or Inclusive Education. But this is not supported by enough practical experience nor by ongoing skill development when they are teaching in schools. There are delays in placing Province Education Promoters and Teachers of the Deaf and Province Health Promoters in funded positions, even when they are available; as of June 2010, over 50% of them were yet to be placed¹³.
23. Training of the other students who share classes with people with disabilities (eg teaching the students how to use sign language) is limited but growing slowly. In most cases (but certainly not all) the students and staff are welcoming of students with physical disabilities.
24. 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) is limited. Schools do not have the sports equipment or activities that can encourage the participation of children with physical disabilities, or the training of these students in umpiring or the organising of sports activities.

Rehabilitation of People with Disabilities

25. Because a very high percentage of the population is located in the rural areas, sometimes in remote and mountainous terrain, the provision of health and education services and (when required) an improved physical environment, require community involvement. The health workers and specialist teachers can only be present intermittently. A policy for service delivery through the implementation of a process of Community-based Rehabilitation (CBR) has been officially adopted by the country.

⁹ <http://www.actnowpng.org/sites/default/files/png%20version%202050.pdf> accessed Oct 27, 2010

¹⁰ National Education and Health Hearing Project 2008 - 2010, Interim Report, 2010

¹¹ National Statistics Office 2000 National Census

¹² National Education and Health Hearing Project 2008 - 2010, Interim Report, 2010

¹³ National Education and Health Hearing Project, 2008 – 2010, Interim Report, Jan – June 2010

This is to be praised and supported. However, the provision of salaries, operational costs and infrastructure (vehicles, offices and equipment etc) is lacking, and the appropriate funding of organisations that provide training for the CBR Workers is lacking. The Government of Papua New Guinea needs to give this priority in the future.

26. The continuing challenge for the government of Papua New Guinea, acting through the National Department of Education, the Department for Community Development and the National Department of Health is to ensure that all workers are adequately trained in CBR methodologies. This will provide families, local communities and schools with the skills and knowledge needed to allow any individual to be rehabilitated, and participate more appropriately in the life of the community. The ear impairment prevention method alone improves hearing in 60 – 70 % of children with hearing problems¹⁴.
27. Possibly the most vulnerable and excluded group in the country are those with mental illness. There is very limited access to treatment facilities, medicines and knowledge of their illness and they are very often excluded from families, misunderstood and feared. There are at least three reported cases of young men with mental illness being chained to trees.

Employment for People with Disabilities

28. With the exception of one successful program (conducted by the Red Cross in Port Moresby) there is no systematic training of people with disabilities for employment, no systemic preparation of employers for employing someone with a disability, and no promotion of the possibility with employers that they could employ someone with a disability.
29. In at least 18 (out of 20) Provinces there are community-based rehabilitation workers who assist family and villagers to be open to people with disabilities working on village projects. They explore the ‘blocks’ to this being done more effectively, and suggest solutions eg learning of Melanesian sign language, adaptation of the physical environment, provision of low vision or physical assistive devices, some gardens being developed at waist height for easier access, railings, adjustment of desk height etc.
30. One illustration, however, of the challenges ahead of the country is that the Morobe Province Special Education Resource Centre reports as follows:
In Morobe Province, most students with hearing impairment finished their Grades 8 and 10 in school. However after finishing their Grade 10 they are not given any job opportunities. Perhaps the government should seriously consider reserving some jobs for the people with disabilities.
31. Two stories of a more positive nature come from Kiunga (Western Province):
‘An example is the art being done in the Cathedral of St Gerard in Kiunga by the Adult Disabled Group. Most of their legs are not good, but they climb up to do the work. Another example is a deaf boy who is now working with a contractor as a carpenter at Tabubil. Such stories need telling in the media.’

¹⁴ National Education and Health Hearing Project, 2008 - 2010

Housing and Accommodation for People with Disabilities

32. For students with disabilities, housing close to schools is limited. Residential schools are not well designed for access of those with physical disabilities, nor in many cases for those with low vision or blindness.
33. In general, the wider community does not have housing or communities well designed for people with physical disabilities. In fact many *'houses are built on posts which mean many people with disabilities cannot access the house and sleep where they find it comfortable.'*
34. The national and province level governments appear not to have a systematic process to respond to a huge demand for land for housing. Consequently, unplanned settlements have developed and in many places are rapidly expanding. This occurs without proper planning for transport, waste disposal, water, education, health and all other services. Those with any sort of disability are even more poorly served.
35. The Department for Community Development, the Department of Housing and the relevant Non Government Organisations within PNG need to also work towards creating housing and ongoing support for people with disabilities who are being neglected by their families and effectively excluded from appropriate services.

Awareness of Wider Community about Issues for People with Disabilities

36. The wider community needs a much higher level of awareness about:
 - What physical disability involves (i.e. knowing what has caused a disability, what is the implication of the disability for the person/family, etc). Where good awareness raising has been done, and people know how to respond to people with disabilities, this knowledge has successfully helped overcome cultural beliefs that excluded people from community participation.
 - Prevention of disabilities (eg children playing with objects that could damage eyes, health issues relating to ear care, exercises that can prevent physical disabilities or can improve physical abilities).
 - Responses to and treatments of disability (eg medication or meditation can assist a person with certain mental health disabilities, physiotherapy, eye or ear operations or medications, adaptation of physical and social environments in schools and communities, etc).
37. There are communities within which teachers and community-based rehabilitation workers (from the network of 17 Callan Special Education Resource Centres, and four other Special Education Resource Centres) have provided very significant awareness, educational and community-based rehabilitation services. There are many more areas in each of the 20 Provinces that need further services.
38. The 21 Special Education Resource Centres in the country need to link more strongly with District Administrations, Churches, Councillors and local National Politicians. This will enable education of civil society about the needs and potential of people with disabilities. In the 'awareness raising' there must be emphasis on the rights of people with disabilities.

Security – Protection of People with Disabilities from Abuse

39. In general, families of children and adults with disabilities have low levels of knowledge/skills in relation to:

- The fact that when the international figures on abuse (physical, sexual, emotional etc) are considered, it is very clear people with disabilities are the group in society most likely to be abused.
 - Strategies to prevent abuse (eg ensuring a person can access education and training, securing a strong social support network, providing a physically safe house and community environment).
 - Rights of people with disabilities, and advocacy with and for them.
40. Significant education and skill development in relation to Child Protection is currently occurring in the Child Welfare Sections of the provincial Departments for Community Development. It is in its early stages.
41. There are also clear reports that Police are not well trained or aware enough to know that people with disabilities are being abused. When such abuse is reported, police are not always acting on the case. As well as training in the skills needed by police, there needs to be a public campaign emphasising the rights of people with disabilities to live free of abuse.

Participation in Community Life by People with Disabilities

42. There has been a very positive and important development in that last two years, with the establishment of a National Advisory Committee on Disability (NACD). The Minister for Community Development established this committee to advise her and all sections of the Department for Community Development, and in fact all government instrumentalities, in relation to matters concerning the lives of people with disabilities in PNG.
43. The current situation with regard to participation and decision-making is changing, in areas where significant community awareness has been done. With that, people with disabilities gain more confidence and skills and the community is more open to their desires and needs.
44. The establishment in each Province of Organisations for People with Disabilities, and national organisations, has been difficult and slow. In 2009 there was a re-establishment of a national organisation: PNG Association of People with Disabilities. It is hoped that this national group can become a valid voice for people with disabilities, by people with disabilities.
45. Another large challenge for Papua New Guinea is that the physical environment for people with disabilities (pedestrian paths, access to government buildings etc) is very poor in most areas.

Data Gathering by Government on People with Disabilities

46. The government is gathering some basic data on people with disabilities in the next census – this census is to be held in 2011. It seems there is no systematic data gathering at Province or local District levels.

Recommendations on the Rights of People with Disabilities

- 47. The Government of Papua New Guinea should ratify the Convention on the Rights of People with Disabilities.**

48. It is recommended that the current partnerships between the PNG Government and in-country Non-Government Organisations (NGOs) for the service of people with disabilities be built upon in the following manner:

48.1 The Government of Papua New Guinea should continue to develop the required policies, and protocols for the implementation of those policies, for the education and rehabilitation of people with disabilities and that this be done in the context of the seven care needs named below (in Appendix One).

48.2 The Government of Papua New Guinea should establish partnerships with appropriate NGOs to conduct services for the education and rehabilitation of people with disabilities and also 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. These partnerships will address:

- **The funding of all teaching and community-based rehabilitation workers involved in the work with children and adults with disabilities and the related work of prevention of disabilities.**
- **The operational costs of the NGOs within which the above staff work.**
- **The related infrastructure costs (eg vehicles, offices, housing, technical equipment, telecommunications etc).**
- **The funding of staff members, operational costs and infrastructure of organisations involved in the necessary capacity building, quality assurance and monitoring of the service organisations.**

49. It is further recommended that the Government of Papua New Guinea:

49.1 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.

49.2 Promote a national campaign targeting employers to encourage them to employ people with disabilities.

49.3 Urgently release 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.

49.4 Provide appropriate and safe pedestrian areas for people with disabilities.

49.5 Provide safe access for people with disabilities to public buildings (government offices, businesses, services, etc).

49.6 Collect accurate data on people with disabilities in Papua New Guinea and use this for planning policies and services.

49.7 Encourage accurate data collection on people with disabilities by provinces and districts, and use this in meeting their needs.

Appendix One - Seven Care Needs of Children and Vulnerable Populations

What follows is a brief description of the seven care needs of children and vulnerable populations based on the Human Rights Convention, the Convention of the Rights of Persons with Disabilities, and the Convention of the Rights of the Child. The **care-needs context approach** for individual children and adults with disabilities is one where services are designed to support meeting all seven care needs.

These developmental care needs are:

- **Physical care** - bodily and medical care, freedom from physical harm.
- **Psychological Care** - self- identity, self-worth, self-efficacy.
- **Emotional Care** - nurturance, love and affection.
- **Cognitive Care** - cognitive and intellectual stimulation through formal and informal education; learning and thinking skills.
- **Social Care** - belonging to valued social groups; sense of social inclusion, reciprocity and social identity.
- **Spiritual Care** – sense of sacred and divine; right to express worship and prayer; sense of unity with nature; valuing sustainability.
- **Moral Care** – learning and understanding what is considered ‘good’ individual and social behaviour; valuing social engagement and compassion.

References

<http://go.worldbank.org/6EIB0ZUV00>

Papua New Guinea Department of Education 2004 *Achieving a better future: National Education Plan (2005-2014)* <http://www.education.gov.pg/>

Papua New Guinea Disability Act

Papua New Guinea Education Act No 13 of 1995

Papua New Guinea Lukautim Pikininni Act (the Child Welfare Act) 1961

Papua New Guinea National Statistics Office 2000 *National Census* <http://www.nso.gov>

Papua New Guinea National Youth Policy 2007-2019

Papua New Guinea *Vision 2050*

<http://www.actnowpng.org/sites/default/files/png%20version%202050.pdf>

UNESCO Regional Overview April 2005