



U.S. DEPARTMENT of STATE

Papua New Guinea

Country Reports on Human Rights Practices - [2007](#)

Released by the Bureau of Democracy, Human Rights, and Labor
March 11, 2008

Papua New Guinea is a constitutional federal multiparty parliamentary democracy with a population of approximately 6.2 million and more than 800 indigenous tribes. The most recent general elections were held June 30 through July 10; there were localized instances of voter intimidation, election-related violence, and influence peddling. A coalition government, led by Prime Minister Michael Somare, was formed following the election. While civilian authorities generally maintained effective control of the security forces, there were some instances in which elements of the security forces acted independently.

The government generally respected the human rights of its citizens, but there were serious problems in some areas. Human rights abuses included arbitrary or unlawful killings by police; police abuse of detainees, including children; poor prison conditions; lengthy pretrial detention; infringement of citizens' privacy rights; government corruption; violence and discrimination against women and children; discrimination against persons with disabilities; and intertribal violence.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

The government or its agents did not commit any politically motivated killings; however, police killed a number of persons during the year. According to police reports, most killings occurred during gunfights with criminal suspects who were resisting arrest. However, public concern about police violence continued. On March 21, police reportedly shot three persons suspected of armed robbery, killing one. On May 4, police shot and killed Jeffrey Kui, a fugitive in West Taraka who had escaped from custody; his relatives alleged police shot him repeatedly after he had already surrendered. On May 25, police reportedly shot three individuals suspected of car theft, killing two. The police officers involved in the March 21 and May 25 killings were suspended pending investigations, but no investigation results had been released by year's end. A coroner's court was reviewing the Kui killing at year's end.

There were no further developments in the investigations into the alleged November 2006 police killing of a person in an exchange of gunfire at a Port Moresby hotel and a 2005 incident at the Porgera primary school in Enga Province in which police killed three persons and reportedly injured at least 20 others.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The constitution prohibits such practices; however, individual police members frequently beat and otherwise abused suspects during arrests, interrogations, and in pretrial detention. There were numerous press accounts of such abuses, particularly against young detainees. On August 23, an auxiliary police officer in Rabaul allegedly shot and wounded a high school student. Also on August 23, police reportedly beat a soldier in Port Moresby.

At year's end no action had been taken against correction officers at Buimo Prison who beat and sexually abused young male detainees in January 2006, and the officers continued to work at the prison.

Prison and Detention Center Conditions

Prison conditions were poor, and the prison system suffered from serious underfunding. During most of the year, three of

the country's 20 prisons remained closed because of life-threatening conditions. Neither prisons nor police detention centers had medical care facilities. In some police holding cells, detainees lacked bedding and sufficient food and water. Overcrowding in prisons and police cells was a serious problem. In rural areas infrequent court sessions and bail restrictions for certain crimes exacerbated overcrowding. Prison escapes were common, even from high-security installations.

Male and female inmates usually were held separately, but some rural prisons lacked separate facilities, and there were reports of assaults on female prisoners. There were no separate facilities for juvenile offenders; however, in some prisons juveniles were provided with separate sleeping quarters. Foreign government donor agencies funded the operations of three new juvenile reception centers located in Port Moresby, Lae, and Goroka. Human Rights Watch (HRW) reported that juveniles routinely were held with adults in police detention cells, where in many cases they were assaulted by older detainees. Police denied juvenile court officers access to police cells. Pretrial detainees were not separated from convicted prisoners.

The government permitted prison visits by human rights observers.

d. Arbitrary Arrest or Detention

The constitution prohibits arbitrary arrest and detention, and the government generally observed these prohibitions.

Role of the Police and Security Apparatus

A commissioner who reports to the minister for internal security heads the country's national police force, the Royal Papua New Guinea Constabulary. Internal divisions related to clan rivalries and a serious lack of resources negatively impacted police effectiveness throughout the year. Police corruption and impunity were serious problems. During the year some police officials were suspended for involvement in corruption or other criminal activity. On March 28, a group of police officers allegedly assaulted the director of police prosecutions in Port Moresby; however, as of year's end, no action was taken against the officers involved.

Police shootings are investigated by the police department's Internal Affairs Office and reviewed by a coroner's court. If the court finds that the shooting was unjustifiable or due to negligence, the police officers involved are tried. Families of persons killed or injured by police may challenge the coroner's finding in the National Court, with the assistance of the Public Solicitor's Office. Cases of accidental shootings of bystanders by police during police operations are also investigated and reviewed by a coroner's court.

Although the government continued to negotiate with Australia on implementation of a scaled-down version of the former Enhanced Cooperation Program, under which Australian federal police officers would work alongside the constabulary to improve police practices, no agreement was reached during the year.

Arrest and Detention

Under the law, to make an arrest police must have reason to believe that a crime was committed, is in the course of being committed, or will be committed. A warrant is not required, and police made the majority of arrests without one. Citizens may make arrests under the same standards as the police, but this was rare in practice. Police, prosecutors, and citizens may apply to a court for a warrant; however, police normally did so only if they believed it would assist them in carrying out an arrest.

Only National or Supreme Court judges may grant bail to persons charged with willful murder or aggravated robbery. In all other cases, the police or magistrates may grant bail. Arrested suspects have the right to legal counsel, to be informed of the charges against them, and to have their arrests subjected to judicial review; however, the government did not always respect these rights. Detainees had access to counsel, and family members had access to detainees. There were reported instances of politicians directing or bribing police officials to arrest or intimidate individuals seen as political enemies or as possible whistle-blowers on corruption.

Due to very limited police and judicial resources and a high crime rate, suspects often were held in pretrial detention for lengthy periods. Although pretrial detention is subject to strict judicial review through continuing pretrial consultations, the slow pace of police investigations and occasional political interference or police corruption frequently delayed cases for months. Additionally, circuit court sittings were infrequent because of a shortage of judges and travel funds. Some detainees were held in jail for more than two years because of the shortage of judges.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary, and the government generally respected judicial independence in practice. The Supreme Court is the final court of appeal and has original jurisdiction on constitutional matters. The National

Court hears most cases and appeals from the lower district (provincial) courts. There also are village courts headed by lay persons (generally local chiefs, known as "big-men"), who judge minor offenses under both customary and statutory law.

Trial Procedures

The legal system is based on English common law. The law provides for due process, including a public trial, and the court system generally enforced these provisions. Judges conduct trials and render verdicts; there are no juries. Defendants have the right to an attorney. The Public Solicitor's Office provides legal counsel for those accused of "serious offenses" (charges for which a sentence of two years or more is the norm) who are unable to afford counsel. Defendants and their attorneys may confront witnesses, present evidence, access government-held evidence, plead cases, and appeal convictions. The shortage of judges created delays in both the process of trials and the rendering of decisions.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

There is an independent and impartial judiciary in civil matters. District courts could order "good behavior bonds," commonly called "protection orders," in addition to ordering that compensation be paid for violation of human rights. However, courts had difficulty enforcing judgments. Additionally, many human rights matters were handled by village courts, which were largely unregulated. Village and district courts were often hesitant to interfere directly in domestic matters. Village courts regularly ordered compensation be paid to an abused spouse's family in cases of domestic abuse rather than issue a domestic court order.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The constitution prohibits such actions; however, there were instances of abuse. Police raids and searches of illegal squatter settlements and the homes of suspected criminals often were marked by a high level of violence and property destruction. Police units operating in highland regions sometimes used intimidation and destruction of property to suppress tribal fighting.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution provides for freedom of speech and of the press, and the government generally respected these rights in practice. All newspapers included a variety of editorial viewpoints and reported on controversial topics. There was no evidence of officially sanctioned government censorship; however, newspaper editors complained of intimidation tactics aimed at influencing coverage. On May 29, armed men attacked the home of a reporter for the *Post Courier* newspaper; the newspaper alleged that the attack was in retaliation for stories the paper had published about official corruption.

Internet Freedom

There were no government restrictions on access to the Internet or reports that the government monitored e-mail or Internet chat rooms. Individuals and groups could engage in the peaceful expression of views via the Internet, including by e-mail. In practice cost factors and lack of infrastructure limited public access to the Internet.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The constitution provides for freedom of assembly; however, the government often limited this right in practice. Public demonstrations require police approval and 14 days' notice. In recent years police, asserting a fear of violence from unruly spectators, rarely gave approval. On August 10, police reportedly disapproved a protest march against formation of the new government coalition. However, various groups ignored the legal notice requirements and held meetings and rallies throughout the year. Groups also challenged the requirements, citing conflicts with the constitution. There were reports that police intimidated groups attempting to demonstrate during national conferences and events.

Freedom of Association

The constitution provides for freedom of association, and the government generally respected this right in practice.

c. Freedom of Religion

The constitution provides for freedom of religion, and the government generally respected this right in practice.

Societal Abuses and Discrimination

There were no reports of societal abuses or discrimination against religious groups, including anti-Semitic acts. There was no known Jewish community in the country.

For a more detailed discussion, see the [2007 International Religious Freedom Report](#).

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The constitution provides for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights in practice.

The law prohibits forced exile, and the government did not use it.

Protection of Refugees

Although a party to the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, the government has not enacted enabling legislation and has not established a system for providing protection to refugees. The government did not grant refugee status or asylum. In practice the government provided protection against refoulement, the return of persons to a country where there is reason to believe they feared persecution. In practice the government provided temporary protection to individuals who may not qualify as refugees under the 1951 convention or 1967 protocol.

During the year, with support from the UN High Commissioner for Refugees (UNHCR), the government continued to provide protection to approximately 2,700 persons residing at the East Awin refugee settlement who fled the Indonesian province of Papua (formerly Irian Jaya). Approximately 5,000 additional refugees lived in villages adjacent to the border with Indonesia.

The government cooperated with the Office of the UNHCR and other humanitarian organizations in assisting refugees and asylum seekers. Registered refugees residing in the East Awin refugee settlement were granted a residence permit that allowed them to travel freely within the country and, on a case-by-case basis, to travel abroad depending on the urgency of the business and a guarantee of financial support by sponsoring institutions.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The constitution provides citizens the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections based on universal suffrage. Voters elect a unicameral parliament with 109 members from all 19 provinces and the National Capital District. Any citizen may stand for election; members of Parliament (MPs) must be at least 25 years of age. A new limited preferential voting system requires MPs to be elected by an absolute majority vote.

Elections and Political Participation

The most recent general election was held June 30 through July 10. Of the 109 seats in Parliament, 66 changed hands. Prime Minister Michael Somare formed a coalition government following the election. Bribery, voter intimidation, and undue influence were widespread in some parts of the country during the election. The law provides that a losing candidate may dispute an election result by filing a petition with the National Court. Such petitions may question actions of the winning candidate and his supporters or allege malfeasance by the election officials. The procedure is fair but time consuming and expensive both to initiate and to defend. The National Court registered 53 election petitions that alleged illegal practices. By year's end 16 petitions were dismissed, 13 were withdrawn, one was upheld and a by-election ordered, 20 were scheduled for court hearings, and three remained to be given a hearing date.

Post-election violence was common in various parts of the country. In incidents reported, six persons were shot and killed, one was tortured and burned alive, and many others were injured. The underresourced police force focused on safeguarding key resource projects, government infrastructures, and businesses.

Many voters who claimed to have registered were turned away from the polls. Local and international observer teams reported undue influences, inconsistencies in common rolls, and instances of bloc voting, in which all the members of a tribe or clan voted for the same candidate.

There is no law limiting political participation by women, but the deeply rooted patriarchal culture impeded women's full participation in political life. There was one woman in the 109-seat Parliament. She served as minister of community development, the only cabinet position held by a woman. There was one female National Court justice and no female provincial governors.

There were six minority (non-Melanesian) MPs. Of these, two were in the cabinet, and three were provincial governors.

Government Corruption and Transparency

The law provides criminal penalties for official corruption; however, the government did not implement the law effectively, and officials often engaged in corrupt practices with impunity.

Corruption at all levels of government was a serious problem due to weak public institutions, lack of transparency, politicization of the bureaucracy, and the use of public resources to meet traditional clan obligations.

A government minister reportedly confirmed the prevalence of corrupt practices and inappropriate deals within the Department of Foreign Affairs. Internal investigations were pending at year's end. A commission of inquiry conducted an investigation into allegations of large-scale fraudulent practices in the Finance Department but had not reported its findings by year's end. Approximately 75 percent of MPs failed to properly account for their expenditures of public funds over the past five years.

The minister for national planning, who had been referred to the public prosecutor in 2006 for misconduct, retained his parliamentary seat and was reappointed to the cabinet. At year's end the Leadership Tribunal was reviewing the case. A provincial governor who was suspended from office in September 2006, following referral by the ombudsman to the Leadership Tribunal for alleged misuse of government funds, was found guilty and fined. During the year three MPs, including a provincial governor and a former senior cabinet minister, had their cases pending before the Leadership Tribunal for alleged corruption; however, none of the three was reelected, and as of year's end, the public prosecutor had not filed criminal charges against them.

In October the defense minister rejected the findings of a Defense Board of Inquiry report that concluded Prime Minister Somare and other high-level government officials were involved in arranging for the 2006 flight of Julian Moti, an Australian citizen wanted in Australia on child sex molestation charges, to the Solomon Islands aboard a Papua New Guinea military plane. The defense minister stated that the report was biased and that the board was not legally constituted.

Public officials are subject to financial disclosure laws as stipulated in the leadership code of conduct. The Ombudsman Commission, the Leadership Tribunal, and the Public Accounts Committee are key organizations responsible for combating government corruption.

No law provides for public access to government information. The government published frequent public notices in national newspapers and occasional reports on specific topics facing the government; however, it generally was not responsive to individual requests, including media requests, for access to government information.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were somewhat cooperative and responsive to their views.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The constitution provides for equal protection under the law irrespective of race, tribe, place of origin, color, or sex. Despite these provisions, women often faced discrimination. Geographic and cultural diversity prevented any one tribe or clan from dominating the country, and successive governments have consistently avoided favoring any group.

Women

Violence against women, including domestic violence and gang rape, was a serious and prevalent problem. In a March media release, the UN Population Fund office stated that violence against women and girls was widespread.

Although rape, including spousal rape, is a crime punishable by imprisonment, and prison sentences were imposed on convicted assailants, few rapists were apprehended. The willingness of some communities to settle incidents of rape through material compensation rather than criminal prosecution made the crime difficult to combat. On August 15, a 20-year-old rape victim reportedly withdrew a case against four suspects. On August 13, the Supreme Court dismissed the appeal by former Madang provincial governor James Yali of his 2006 conviction for raping his sister-in-law. At year's end he was serving his sentence.

Domestic violence was common and is a crime. However, since most communities viewed domestic violence as a private matter, few victims pressed charges, and prosecutions were rare. Widespread sexual violence committed by police and their unresponsiveness to complaints of sexual or domestic violence served as barriers to reporting by both women and men. Traditional village mores, which served as deterrents against violence, were weakening and were largely absent when youths moved from their villages to larger towns or to the capital.

Violence committed against women by other women frequently stemmed from domestic disputes. In areas where polygyny was customary, an increasing number of women were charged with murdering one of their husband's other wives. According to HRW, 65 percent of women in prison had been convicted for attacking or killing another woman.

Prostitution is illegal; however, the laws were not enforced, and the practice was widespread. There were no reports of sex tourism during the year. Sexual harassment is not illegal, and it was a widespread problem.

The laws have provisions for extensive rights for women dealing with family, marriage, and property disputes. Some women have achieved senior positions in business, the professions, and the civil service; however, traditional discrimination against women persisted. Many women, even in urban areas, were considered second-class citizens. Women continued to face severe inequalities in all spheres of life: social, cultural, economic, and political.

Village courts tended to impose jail terms on women found guilty of adultery while penalizing men lightly or not at all. By law a district court must endorse orders for imprisonment before the sentence is imposed, and circuit-riding National Court justices frequently annulled such village court sentences. Polygyny and the custom in many tribal cultures of paying a "bride price" tended to reinforce the view that women were property. In addition to the purchase of women as brides, women also sometimes were given as compensation to settle disputes between clans, although the courts have ruled that such settlements denied the women their constitutional rights.

According to statistics published in the 2006 UN Development Program's human development report, women continued to lag behind men in literacy and education due to discrimination; 51 percent of women were literate, compared with 63 percent of men. The Ministry of Community Development was responsible for women's issues and had considerable influence over the government's policy toward women.

Children

Independent observers generally agreed that the government did not dedicate significant resources to protecting the rights and welfare of children. Religious and secular nongovernmental organizations (NGOs) operated programs to protect and develop youth and children. In the past children were well cared for within the family and under traditional clan and village controls; however, small-scale studies indicated that this situation has changed over the last decade, especially in areas where households have become isolated from the extended family support system and depend on the cash economy for a livelihood.

Primary education was not free, compulsory, or universal. Substantial fees were charged and posed a significant barrier to children's education. According to a UN Children's Fund report (based on 2000-2005 data), the gross primary school enrollment rate was 80 percent for boys and 70 percent for girls. Many children did not progress further than primary school. Government-provided free medical care for citizens, including children, was no longer available due to budget cuts and deteriorating infrastructure, particularly in rural areas. Boys and girls had equal access to medical care, but many children did not have effective care. Many villages were geographically isolated, and malnutrition and infant mortality rates were very high.

Sexual abuse of children was believed to be frequent. On September 18, a four-year-old and a 13-year-old were allegedly raped in Madang. At year's end a police reserve officer was free on bail awaiting trial for allegedly assaulting a six-year-old girl in Lae in 2006. On September 7, a man pleaded guilty to raping a four-year-old child in 2005 in Lae and at year's end was awaiting sentencing. Incest is a crime and reportedly increased in frequency. On March 9, a man was convicted of incest and sentenced to six years' imprisonment. On September 21, a father of six received a 20-year sentence for incest. There were cases of commercial sexual exploitation of children in urban areas, including children working in bars and nightclubs. HRW documented numerous instances of police abuse of children. Some children were forced to work long hours as domestic servants in private homes, often to repay a family debt to the "host" family.

The legal age for marriage is 18 for boys and 16 for girls. There is a lower legal marriage age (16 for boys and 14 for girls) with parental and court consent. However, customary and traditional practices allow marriage of children as young as age

12, and child marriage was common in many traditional, isolated rural communities. Child brides frequently were taken as additional wives or given as brides to pay family debts and often were used as domestic servants. Child brides were particularly vulnerable to domestic abuse.

Trafficking in Persons

The law does not prohibit all forms of trafficking in persons, although trafficking in children for sexual exploitation is a crime. There were reports of trafficking of women and girls within the country for sexual exploitation and domestic servitude. Custom requires the family of the groom to pay a "bride price" to the family of the bride. While marriages were usually consensual, women and girls were sometimes sold against their will. There were also reports of Asian women being trafficked into the country to work in the sex industry. Transactional sex was common and often involved the sexual exploitation of children.

The government investigated allegations of corruption among officials dealing with passport issuance and immigration. The allegations primarily involved the illegal issuance of residence and work permits for Chinese or South Asian nationals migrating to the country. Nevertheless, there was concern that the country may have been used as a route for trafficking in persons to Australia.

There were no government programs to assist trafficking victims.

Persons with Disabilities

The constitution prohibits discrimination against persons with physical and mental disabilities; however, persons with disabilities faced discrimination in education, training, and employment. Through the National Board for the Disabled, the government provided funds to a number of NGOs that provided services to persons with disabilities. The government provided free medical consultations and treatment for persons with mental disabilities, but such services were rarely available outside major cities. In several provinces, apart from the traditional clan and family system, services and health care for persons with disabilities did not exist. No legislation mandates accessibility to buildings. Most persons with disabilities did not find training or work outside the family structure.

National/Racial/Ethnic Minorities

Centuries-old animosities among isolated tribes, a persistent cultural tradition of revenge for perceived wrongs, and the lack of police enforcement sometimes resulted in violent tribal conflict in the highland areas. In the last few years, the number of deaths resulting from such conflicts continued to rise due to the availability of modern weapons. Election results triggered tribal conflicts in parts of Enga and Chimbu provinces, and tribal fighting continued in Western Highlands Province.

Other Societal Abuses and Discrimination

Sodomy and acts of "gross indecency" between males are illegal, but there were no reports of prosecutions under this law during the year. There were no specific reports of societal violence or discrimination against homosexuals, but homosexuals were vulnerable to societal stigmatization.

There were no reports of government discrimination against persons with HIV/AIDS; however, there was a strong societal stigma attached to HIV/AIDS infection that prevented some individuals from seeking HIV/AIDS related services, and there were reports that companies have dismissed HIV-positive employees after learning of their condition.

Section 6 Worker Rights

a. The Right of Association

The law provides for the right to form and join labor unions, subject to registration by the Department of Labor and Industrial Relations. The government did not use registration to control unions; however, an unregistered union has no legal standing and thus cannot operate effectively. An estimated half of the approximately 250,000 wage earners in the formal economy were members of approximately 50 trade unions. The Public Employees Association represented an estimated 18,000 persons employed by national, provincial, and municipal governments, or one-third of the public sector work force. The law prohibits antiunion discrimination by employers against union leaders, members, and organizers; however, it was enforced selectively. Unions were independent of the government and of political parties.

b. The Right to Organize and Bargain Collectively

The law provides for the right to organize and engage in collective bargaining, and workers exercised these rights in

practice. Under the law the government has discretionary power to cancel arbitration awards or declare wage agreements void when they are contrary to government policy. The International Labor Organization has criticized this law. The Department of Labor and Industrial Relations and the courts are involved in dispute settlement. Wages above the minimum wage were set through negotiations between employers and employees or their respective industrial organizations.

The law provides for the right to strike, although the government can and often does intervene in labor disputes to require arbitration before workers can legally strike. The law prohibits retaliation against strikers, but it was not always enforced. Employees of some government-owned enterprises went on strike on several occasions during the year, primarily to protest against privatization policies or in pay disputes. In most cases these strikes were brief and ineffective.

At year's end no decision had been made regarding the legality of a December 2005 nurses' strike or the disciplinary actions taken against nurses who participated in the strike.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The constitution prohibits forced or compulsory labor, including by children, and there were no reports that such practices occurred in the formal economy. Some children were obliged to work long hours as domestic servants in private homes.

d. Prohibition of Child Labor and Minimum Age for Employment

The law establishes the minimum working age as 16; for hazardous work, the minimum age is 18. However, children between the ages of 11 and 18 may be employed in a family business or enterprise provided they have parental permission, a medical clearance, and a work permit from a labor office. This type of employment was rare, except in subsistence agriculture. Work by children between the ages of 11 and 16 must not interfere with school attendance. Some children under 18 worked in bars and nightclubs and were vulnerable to commercial sexual exploitation.

e. Acceptable Conditions of Work

The Minimum Wage Board, a quasi-governmental body with labor and employer representatives, sets minimum wages for the private sector. The national youth wage, for new entrants into the labor force between 16 and 21 years of age, was set at 75 percent of the adult minimum wage. The minimum wage was \$12.75 (37.50 kina) per week, and although it was above the national per capita income, it did not provide a decent standard of living for a worker and family who lived solely on the cash economy.

The law regulates minimum wage levels, allowances, rest periods, holiday leave, and overtime. Although the Department of Labor and Industrial Relations and the courts attempted to enforce the minimum wage law, enforcement was not effective. The law limits the workweek to 42 hours per week in urban areas and 44 hours per week in rural areas and provides for premium pay for overtime work. The law provides for at least one rest period of 24 consecutive hours every week; however, enforcement was lax. The Department of Labor and Industrial Relations is responsible for enforcing the Industrial Health and Safety Law and related regulations. The law requires inspection of work sites on a regular basis; however, due to a shortage of inspectors, inspections took place only when requested by workers or unions. In February, after receiving complaints, the labor secretary visited the Ramu nickel mine in Madang Province, operated by a Chinese government-owned company, and concluded that conditions violated labor laws and regulations. Among the problems cited were extremely inadequate food, sanitary facilities, and housing. Reportedly the company subsequently made some improvements in workers' living conditions.

Workers' ability to remove themselves from hazardous working conditions varied by workplace. Unionized workers had some measure of protection in such situations. The law protects legal foreign workers. The few illegal foreign workers lacked full legal protection.

