



ADVISORY PANEL GENERAL STATEMENT RELEVANT TO ROTATION 10 ATA CLAIMANTS

The Advisory Panel accepts all claimants of Rotation 10 as genuine claimants, some of whom faced multiple traumatic situations including physical assault and imprisonment as well as aggravated rape. It is noted also that not all of the rapes reported in Rotation 10 were in the context of illegal mining.

The Advisory Panel is however concerned that all claimants have rejected the Reparation Package as discussed with their CAT officers and lodged alternate requests, primarily for one-off compensation payments in the form of cash lump sums, pigs, and assets such as vehicles and houses. These alternative packages cannot be endorsed by the Advisory Panel but we hope that these claimants will accept the recommendations made by their CAT officers and the final determinations. If they wish to pursue compensation claims outside the reparation framework that has been accepted by other claimants, then they will have to pursue it themselves. It would be detrimental to the total process and unjust to the other claimants, who are the majority, to vary the nature of the determinations at this stage.

The Advisory Panel has based their decision on several grounds, including:

- Payment of "compensation" in the traditional way has consistently been rejected as a possible component of the reparation package because it is inconsistent with Papua New Guinea's evolving legal and policy approach to the crime of rape.
- "Compensation" payments to "buy back the woman's status" in the community and to address shame within the family, do not directly address the suffering of the individual victim nor do they address the urgent need to fundamentally change community attitudes to and acceptance of different types of violence against women. Although compensation is a traditional form of redress, it should be remembered that the National Constitution explicitly rejects customs that do not respect the dignity of all human beings. After much deliberation by many people, the decision was made that the PRFA package would not include traditional types of compensation payments.
- The Reparation Package has been designed to establish an on-going relationship with the claimants and between them and the Women's Welfare Office rather than a "one-off payment" to appease critics. It involves a package including income-generation skills training, financial literacy with a "cash" component start-up fund deposited directly into the claimants' individual accounts, counselling and medical assistance, school fee assistance and other identified needs.
- It is hoped that all claimants will become active participants in the process which aims to empower the claimants personally and develop their skills and knowledge to enable them to become more self-sustaining for themselves and their families.
- The Advisory Panel sincerely wants to see long-term benefit for the claimants and their families and believe that by treating the claimants with dignity and providing on-going and incremental educational and development programs for them, it will not only benefit them but will influence their families and communities to change their attitude to and acceptance of rape and the traditional group compensation mentality that does not address the individual needs of the victim.
- The ATA claimants are encouraged to become part of the process