LATIMER HOUSE PRINCIPLES

Justice Vergil Los Narokobi

2 September 2025

Objectives

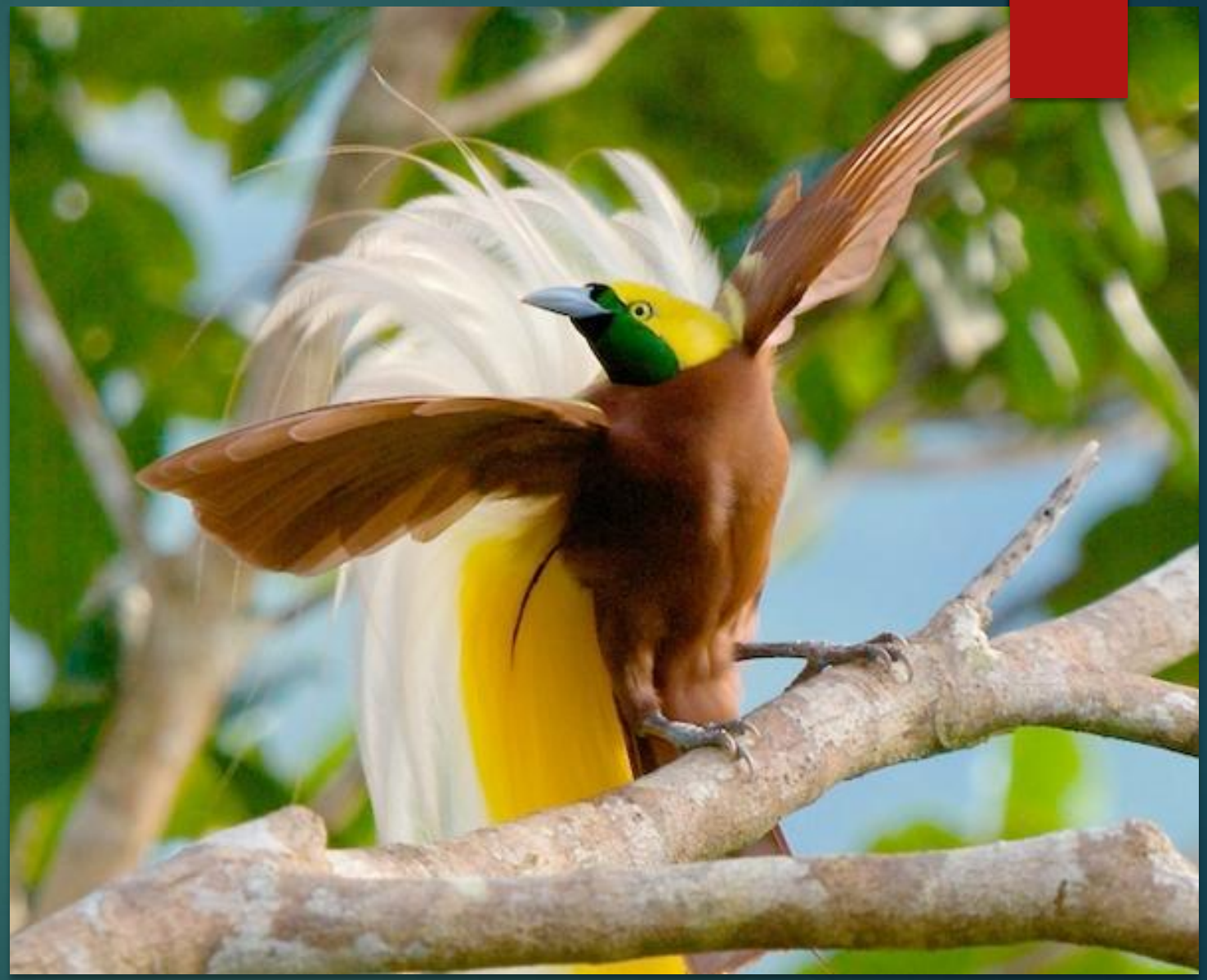
1. Describe what the Latimer House Principles are.
2. Understand the objectives of the Latimer House Principles.
3. Compare the Latimer House Principles with the Papua New Guinea Constitutional framework.

Outline

- Introduction
- History of the Latimer House Principles.
- What are the Latimer House Principles?
- Objectives of the Latimer House Principles.
- Latimer House Principles.
- The Papua New Guinea Context.
- Conclusion

Introduction

The Latimer House Principles were established by the Commonwealth countries to guide the relationship between the three arms of government to ensure that there is good governance and respect for human rights.



History of the Latimer House Principles

The Latimer House Principles have a rich history that dates back to June 1998 when a group of distinguished parliamentarians, judges, lawyers, and legal academics drafted guidelines to promote good governance and the rule of law in Commonwealth countries. These guidelines were later refined and endorsed by Commonwealth Heads of Government in November 2003 as the Commonwealth (Latimer House) Principles on the Accountability of and the Relationship between the Three Branches of Government [1].

Key Milestones:

- *1998:* The Latimer House Guidelines were drafted to provide an operational manual for good practice governing relations between the executive, parliament, and the judiciary.
- *2003:* Commonwealth Heads of Government endorsed the Latimer House Principles in Abuja, Nigeria, emphasizing the importance of the separation of powers, independent and efficient judiciary, and good governance.
- *2004:* The Commonwealth (Latimer House) Principles were launched at a ceremony held at Marlborough House, London, in May.
- *2005:* The Principles became an integral part of the Commonwealth's fundamental values .

Latimer House Principles

- The three branches of government.
- Parliament and the judiciary.
- Independence of parliamentarians.
- Independence of the judiciary.
- Public office holders.
- Ethical governance.
- Accountability mechanisms.
- The law-making process.
- Oversight of government.
- Civil society

The Papua New Guinea Context

The Papua New Guinea Constitutional Framework adopted at independence reflects all the Latimer House Principles. In s 99 of the Constitution, "Structure of Government," it specifically refers to "separation of powers," albeit separation is in "principle." Part VI, "Structure of government," provides detailed provisions on the legislature, the executive and the judiciary.

The principles of Papua New Guinea being a democracy is established in s 50, “Right to vote and stand for public office,” and s 105, “General elections,” amongst a host of other provisions in the Constitution and Organic Laws.

The powers, and functions, of the legislature are provided for in Part VI, Division 2, “National Parliament.” Note s 109, “General power of law-making,” and the establishment of the committee system under Subdivision E, “The Committee System.”

The executive, its powers and functions are provided for in Part VI, Division 4, “The National Executive,” in the Constitution. Note the accountability of the executive to the legislature under s 145, “Motions of no confidence.”

The judiciary, its powers, administration and independence is established in Part VI, Division 5, “The Administration of Justice.” The independence of the judiciary is expressly provided for in the Constitution in s 157, “Independence of the National Judicial System.” The independence of the judiciary is strengthened by the appointment process, the generous conditions of employment and the security of tenure protected by the specific removal process.

Constitutional offices are public office holders, especially those who occupy constitutional offices. They are appointed by an independent process that usually have representatives from the three branches of government in the membership of the appointing body such as the JLSC, the OAC, and the ECAC.

The CPC had very strong views about the necessity of quality leadership for Papua New Guinea to achieve the National Goals and Directive Principles and Basic Social Obligations. To ensure accountability and oversight, the members of the three branches of government and public office holders were made subject to the Leadership Code to be supervised by the Ombudsman Commission.

Human rights are entrenched into the Constitution, There are two types of rights – basic or fundamental rights that cannot be restricted by parliament such as s 36, “Freedom from inhuman treatment,” and qualified rights, that can be restricted by parliament. An example of the latter is s 50, “Right to vote and stand for public office.” Human rights are enforced under ss 57 and 58 of the Constitution. Many of these rights find their origins from the United Nations 1948 Universal Declaration of Human Rights.”

Civil societies have a right to express their views on national issues. This right is protected by s 46, “Freedom of expression,” and s 47, “Freedom of assembly and association. They can also form associations to promote their cause.

Conclusion

The Latimer House Principles provide for the principles that govern the relationship between the three arms of government, to ensure democracy, good governance and respect for human rights. All these principles are provided for in Papua New Guinea's Constitution. Respective agencies charged with enforcing and supervising them must carry out their responsibilities diligently.

Thank you for your attention

Source of Images

- Slide 1 - https://www.kpbs.org/news/arts-culture/2017/01/17/attenboroughs-birds-paradise
- SSlide 2 - https://www.vacationstravel.com/reasons-to-visit-papua-new-guinea/
- Slide 3 - <https://www.crooked-compass.com/tour/ambunti-crocodile-festival/>
- Slide 4 - https://www.birdsofparadiseproject.org/genera/
- Slide 5 - https://search.macaulaylibrary.org/catalog?taxonCode=bbopar1; https://www.quora.com/What-are-birds-of-paradise; https://www.theguardian.com/environment/gallery/2012/nov/30/birds-of-paradise-in-pictures
- Slide 6 - https://www.wildlifeworldwide.com/group-tours/birds-of-paradise-photography
- Slide 7 - https://www.theguardian.com/environment/gallery/2012/nov/30/birds-of-paradise-in-pictures
- Slide 8 - https://charismaticplanet.com/ribbon-tailed-astrapia-bird-of-paradise/
- Slide 9 - https://www.theguardian.com/environment/gallery/2012/nov/30/birds-of-paradise-in-pictures
- Slide 10 - https://www.theguardian.com/environment/gallery/2012/nov/30/birds-of-paradise-in-pictures
- Slide 11 - https://wwhttps://www.theguardian.com/environment/gallery/2012/nov/30/birds-of-paradise-in-pictures
- w.theguardian.com/environment/gallery/2012/nov/30/birds-of-paradise-in-pictures
- Slide 12 - https://www.theguardian.com/environment/gallery/2012/nov/30/birds-of-paradise-in-pictures
- Slide 13 - https://www.theguardian.com/environment/gallery/2012/nov/30/birds-of-paradise-in-pictures
- Slide 14 - https://www.nationalgeographic.com/animals/article/new-species-birds-of-paradise-animals-spd
- Slide 15 - <https://stanfordmag.org/contents/what-you-don-t-know-about-the-papua-new-guinea-sculpture-garden>