

**PAPUA NEW GUINEA
REVIEW OF CURRENT LOGGING PROJECTS**

**CARRIED OUT UNDER THE AUSPICES OF THE DEPARTMENT OF
NATIONAL
PLANNING AND MONITORING**

Office: At National Forest Service, Frangipani Street, Hohola Ph 327 7980 Fax
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**Report to the Independent Review Committee into the Operations of the
RPNGC**

Background:

The Review of Ongoing Forestry Projects (2003/4) commenced in June 2003 and our first field visit was to Iva Inika, just two hours drive from Port Moresby. It was at our first public meeting with landowners at Iva Inika that a woman complained of police "beating" landowners when they complained about the logging operations. We found it difficult to believe at that time as we were so close to Port Moresby and this was our first field visit.

We followed up the field visit by talking to the police in Port Moresby and were assured that this behaviour no longer existed.

As we made further field visits we were confronted by more and more accusations (revelations) of this nature, by both employees and landowners.

These accusations were not made at all logging sites, but particularly those located in the southern region.

I have provided below extracts from relevant reports, which contain these allegations along with a summary of other events, which are relevant to this submission.

We have completed 14 project reviews, full reports are available from the Inter Agency Forestry Committee or from the FCP at 3288983.

1. TP 3 – 27 IVA INIKA

Field visit July, 2003

"Report Extracts"

Landowner Voiced Concerns

- That there are eight reserve police on site, paid by Kerawara Ltd, who refer to the General Manager of Kerawara Ltd as their boss. Discussions with Inspector Raphun who is in charge of all Police Reservists in NCD and the Central Province revealed that there are no regular police attached to this unit. The engagement of police reservists at project sites

is formal, and they are there to monitor drug trafficking from the Highland, Goilala, Lae and Popondetta and to ensure law and order in the community. Drug trafficking in the area has gone down as a result of the police presence in the area. Nevertheless the Review Team noted concerns from villagers about the police presence and suggests that community awareness of their role be carried out.

Recommendations

- That there is dialogue between the PNG Police Constabulary and the villagers of Iva, Inika and Poukama to discuss the presence and role of police reservists at the base camp and log-pond.

2. TP 2 –16 VAILALA BLOCKS 2/3

Field visit October, 2003. On this field visit we were accompanied by three southern command task force officers as we travelled to Kerema by road. They provided security for the trip and were polite and very helpful when our vehicles got bogged along the road between Malalaua and Kerema. They dug us out many times and then escorted the vehicles back to Port Moresby.

We found the atmosphere at the base camps was very tense with many employee concerns and a feeling that both the national employees and the landowners were intimidated by events that had occurred in the recent past and also by the presence of police paid by the logging company.

“Report extracts”

Employees Concerns

- Employees claimed that there are at least five of their colleagues buried in the bush. They further claimed that the logging contractor made little or no attempt to assist with the arrangements of proper burials. One of the deceased is from the New Guinea Islands.

Landowner Voiced Concerns

- A most important issue raised in the meeting at Paivera was the accusation by Villagers of the use of the Police Task Force by the Developer, Frontier Holdings Ltd. Landowners expressed concern that Ribinan Hijau (PNG) Ltd is able to access the use of the Police Task Force to silence complaints by the landowners against logging practices that do not comply with the PNG Forestry Logging Code of Practice, for example destruction of places of cultural significance¹.

Recommendations

¹ The incident was narrated to the Review Team by a very senior villager in front of the whole village and included house burnings and beatings. The Review Team has since found that there is much more to this story, and confirms that an investigation is necessary.

- That the Royal Papua New Guinea Constabulary carry out an internal investigation into the incident at Paivera Village that is alleged to have occurred in May 2001.
- That this investigation be carried out in a thoroughly transparent and non-intimidatory manner and that the findings be made public.

Broader Issues Noted

- The presence of police at logging camps, who are considered to be pro-logging company and are housed, and either paid or paid allowances by the logging companies is a cause for serious concern for landowners.
- This concern is exacerbated when the Police Task Force is flown into the logging concession area in the logging company's own airplanes and seen to be doing the company's bidding.

I discussed this field visit with Superintendent John Marru and he agreed to send a "plain clothed" policeman along with us on subsequent our field trips to assess any further complaints.

3. TP 2-12A TURAMA EXTENSION

Field visit November, 2003. The Review Team was accompanied by Sergeant Samuel Kiap, and officers from the departments of Foreign Affairs and Labour

"Report extracts"

Observations on Landowner Voiced Concerns

- The above (Porome) tribe claimed that they were subjected to physical abuse and brutality at the hands of the police some years ago. They claimed that houses were burnt down and young people were beaten up.

Recommendations

- That the use of the police force by Turama Forest Industry Ltd to physically counter genuine landowner protest be addressed by the relevant authorities.

The Review Team was told of strike breaking by armed police, but we left the reporting on this to the Department of Labour officer.

"Extract from the Department of Labour Draft Report"

Personnel Matters

There have been a lot of issues on citizen employees working conditions raised by both the employees and the management at the logging operational sites. Both factions provided conflicting information contrary to each other with no resolve in sight. While the company management maintains it's commitment to the employees, the employees concerns cannot be openly addressed and

verified for fear of intimidation and reprisals. We are mindful of the repercussions it will have on the employees continued employment, as we are not there all the time to ensure fairness and natural justice for the employees.

Dispute resolution

There is no fairness and justice in any dispute resolution process between the management and the employees.

The company uses the members of the Police Force to assault employees who raises concerns on personnel issues. There is evidence of this abuse and suppression of workers rights amounting to violation of human rights by the company.

4. TP 10 - 08 VANIMO

Field visit March, 2004. As we had found no allegations against police outside the southern region, we declined to take Sergeant Kiap with us on this trip, however, we did have representatives from IPA and the Department for Community development. Nevertheless there was one complaint against use of police by the logging company

“Report Extracts”

Landowner Voiced Concerns

- Landowners complained that the company frequently uses police to threaten villagers with guns to address issues that could easily be resolved through normal dialogue.

5. TP 1- 07 WAWOI GUAVI

Field visit April, 2004. Our first attempt to visit Wawoi Guavi was on November 18 2003, when we were attacked by armed landowners, see attachment 1.

There followed numerous attempts to stop the team travelling and it became necessary to send an advance party to assess the situation, the advance party was authorised by Joseph Assaigo and landed at Kamusie on 14 April, the team followed on 17 April, see attachment 2, (nb sensitive information has been deleted from this document to protect individual informants and also to allow RPNGC to carry out ongoing investigations).

“Report Extracts”

Landowner Voiced Concerns

The use of physical force by the Police Task Force to intimidate employees and landowners was one of the major issues raised by all members of the community. The people most certainly welcomed the presence of police in the area but not in the manner they were behaving and under total control of the company. The concerns raised by landowners in this report are not new. Previous investigations and correspondence by a former PNGFA project supervisor on the issue was circulated to relevant authorities

including the Police Commissioner, Managing Director PNGFA and General Manager of Rimbunan Hijau PNG Ltd with the expectation that something would be done about the use and actions of the police force at Kamusie and Panakawa. This has not eventuated.

- Landowners and employees expressed serious concern that the company's engagement of the police Task Force at Kamusie to control and restrict the movements of people in the evening by declaring night curfew.
- Landowners at Wawoi Falls complained about the Operations Manager of Wawoi Guavi Timber Company Ltd (Mr Ling) discharging a firearm and threatening the community in the presence of the Police Task Force.
- Landowners and employees expressed appreciation of the presence of the police at Kamusie to uphold general law and order but not in the manner in which the police have been used by WGTC Ltd in the past. Landowners and employees at Kamusie are concerned that the Operations Manager and Personnel Officer employed by WGTC Ltd are currently undergoing training as police reservists and are due to become officers in June. They see this as a serious conflict of interest and feel threatened.
- Landowners questioned whether the Police Task Force had the authority to conduct court sessions, determine penalties and enforce curfews in the area.
- Landowners questioned why expatriates were allowed to gamble heavily on "cock fights" (see photo 9) whilst local people were fined for gambling on playing cards.
- Landowners claimed that bags of illicit drugs that were taken from the traders were often not presented in court or the amount presented did not add up to what was initially confiscated.
- Landowners were concerned about the destruction caused to burial grounds and sacred sites despite protests made to the company. Project supervisors also failed to assist landowners prevent the logging company from logging within prohibited areas. Landowners claimed that in most cases the company used the Police Task Force to discourage landowners protesting against the company's approach to logging within prohibited areas.
- Landowners at camp 56 and other bush camps wanted to know why the company is not paying any lease for their land. They claimed that any agreement they signed for the land to be used freely by the company was signed under duress in the presence of the Police Task Force.

Recommendations

- It is recommended that any police being paid by the PNG government who are stationed at Kamusie, Panakawa or elsewhere in the Wawoi Guavi TP area and who are provided with allowances by the company, be replaced by trustworthy Royal Papua New Guinea Constabulary police who are provided with relevant

allowances by the PNG government so that the government of Papua New Guinea regains control of law and order.

- It is further recommended that this be considered a matter of national security and expedited as soon as practicable in order to ensure the safety of genuine landowners who are at risk until the situation is satisfactorily resolved.
- That the current Review into The Royal Papua New Guinea Constabulary conduct investigations in the conduct of the Police Task Force, Reserve Police and Community Police stationed at Panakawa and Kamusie with regards to human rights abuse raised by landowners and company employees.

There have been many sinister events since our visit to Kamusie but as we are still subject to court action I have decided to keep this information from a further date ie after the resolution of the court case or possible further legal action against the Review team. I have forwarded copies of most of the sensitive documents to Joshua Kalinoe, Joe Assaigo and Sam Imguba)

I am available on 0561749850070 for phone consultation or by my email.

Thankyou for allowing the Review Team of Ongoing Forestry Projects to submit to your review, I wish you well in your deliberations.

Yours Sincerely,

Tom Diwai Vigus
Field Team Leader/Forester
15 June 2004

Attachment 1

PAPUA NEW GUINEA REVIEW OF CURRENT LOGGING PROJECTS

CARRIED OUT UNDER THE AUSPICES OF THE DEPARTMENT OF NATIONAL PLANNING AND MONITORING

Office: At National Forest Service, Frangipani Street, Hohola Ph 327 7980 Fax 327 7973

File Note: Incident at Kamusie Airstrip, Wawai Guavi Project 18 November 2003

Background:

Wawai Guavi is an "in depth case study" project and hence the Review Team (Ongoing Projects) comprised the following people.

PNG Government Representatives:

Simon Peter, PNGFA Regional Forestry Inspector.
Donald Lunen, Dept of Labour and Industrial Relations.
Luke Kalimbau, Dept of Foreign Affairs and Trade.
John Aruga, Dept of Environment and Conservation.
Samuel Kiap, Police Department.

Review Team Members:

Tom Diwai Vigus, Field Team Leader and Forestry Specialist.
Lukis Romaso, Landowner Specialist.
Titi Nagari, Environment Specialist.
Chris Lafranchi, Natural Resource Economist.

The Incident:

On arrival at Kamusie Airstrip at approximately 5 pm, on 18 November 2003, the Review Team were met by a roudy and angry crowd of people some of whom had leaves on their heads and painted faces and were carrying sticks, clearly intending to be physically intimidating.

The crowd invaded the airstrip and, with a few people using loud speakers told the Review Team not to get off the plane, as we were not welcome in the project area.

The Review Team nevertheless, got off the plane and attempted to have discussions with the ring leaders with whom we had had numerous meetings in Port Moresby prior to flying to Kamusie.

The ringleaders would not allow discussion and physically blocked, verbally harassed and harangued the team and shouted at the team to get back on the plane. Some

members of the crowd physically pushed and poked some members of the Review Team and would not allow the Field Team Leader to explain the reason for the field trip.

This fracas was carried out in front of huge signs with quote “World Bank” and “Forestry and Conservation Project” and a list of names with figures opposite each purporting to be the earnings of each person named and also claiming that all those listed were employees of the World Bank.

Attempts by The Southern Regional Forestry Inspector to calm the people down so that we could be heard were also shouted down and the Pilots became frightened about the possibility of the plane being damaged and also about the fading light, as they had to fly on to Sasereme and then back to Port Moresby.

The principal ringleaders of this rowdy behaviour were Solomon Kosa and Udu Dumai, who told the Review Team (interalia) that the landowners would only speak to Joshua Kalinoe and demanded that we take this message back to him. He also demanded a response to their petition that had been sent to him regarding the previous “Independent Review “ of the Extension of Wawoi Guavi Timber Permit.

Mr Kosa also objected to the fact that the Review Of the Wawoi Guavi Project was a ‘case study’ project involving the other government departments.

After further attempts at rational discussion, The Field Team Leader decided that the only sensible action was to request that the pilot fly the Team out of Kamusie.

This decision was made considering the following;

- Some landowners had warmly shaken the hands of several members of the Review Team and there was a danger that the presence of the Review Team could cause civil unrest amongst the landowners themselves.
- There was imminent danger of the Review Team members sustaining serious physical abuse had we stayed.
- There was imminent danger that the plane would be damaged.
- There were other passengers waiting to board the plane, including a woman with a baby.

Tom Diwai Vigus
19 November 2003

Attachment 2 (edited)

PAPUA NEW GUINEA REVIEW OF CURRENT LOGGING PROJECTS

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Office: At National Forest Service, Frangipani Street, Hohola Ph 327 7980 Fax 327 7973

P.O. Box 5055,
Boroko,
NCD

Chief Secretary to Government, Joshua Kalinoe
Director General National Security Services, Joseph Asaigo
Police Commissioner, RPNGC, Sam Inguba

Brief (point form) Situation Report Wawoi Guavi Project, TP 1-07

Wednesday 14 April

- Security contingent flew out of POM, arrived to a tense reception at Kamusie Airport.

Thursday 15 April

- Security contingent reported back to the Field Team leader that the situation was stable and safe for the team to travel².

Saturday 17 April

- Review Team arrived Kamusie Airport, 2.30 pm to a quiet but welcoming reception³.
- Review Field Team Leader briefed WGTC (ie Operations Manager, Mr Ling and Gabriel Samol, in the presence of Solomon Kosa and Udu Dumai) and arranged for a meeting with full Review Team for 4.30 pm.
- A villager reported to the Field Team Leader that he had overheard that the Operations Manager Mr Ling had instructed Solomon Kosa to collect the names of anyone seen cooperating with Review Team and report back to him. This caused a certain amount of tension at the site.

² RT Field Team leader received satellite phone calls from Kamusie and local calls from Solomon Kosa warning about our safety right up until late Friday evening 16 April.

³ The Review Team would to take this opportunity to thank the advance security contingent, headed by Theaddeus Yangavi, without whose help we are certain that the field visit by the Review Team would not have been possible.

- At the 4.30 pm meeting the Field Team Leader explained the purpose of the review, discussed the rumours mentioned above, noted that the PNG government considered the situation at Wawoi Guavi as a potential National Security issue and that the matter would be reported to the Secretary of the National Security Advisory Council, Mr Joe Asaigo. I then introduced the team members, who in turn briefed the company on their TORs for the review.
- In the evening several concerned landowners and workers visited the team for discussions⁴.

Sunday 18 April

- The full Review Team held a meeting with landowners and workers at the Kamusie market. Towards the end of the meeting, some landowners asked the Review Team to explain why there was an attempt to stop the team from coming to Wawoi Guavi. The Field Team leader suggested that Mubami Resources Ltd respond to this question. Solomon Kosa gave a valiant effort to justify his actions, eventually giving up and welcoming the Review Team.
- The Review Team then split, Labour, Foreign Affairs and Community Development members going to Panakawa, where they spent the night, landowner specialist holding meetings with Upper and Lower Bamu River people and a separate meeting with the Kamusie Base Camp landowners.

Monday 19 April

- Field team (forestry/environment) travelled to bush camps and logged over set-ups and walked to Wawoi Falls, Landowner specialist travelled to Mosula Village on the border with Southern Highlands and Gulf provinces and stayed overnight. Other government departments returned to Kamusie base camp.

Tuesday 20 April

- Landowner specialist remained in the field conducting meetings in two other villages and overnighting. Field team (forestry/environment) drove to Panakawa, inspected veneer mill, held public meeting with landowners and workers. Other government departments carried out their work at Kamusie.

Wednesday 21 April

- Landowner specialist remained in field and later returned to Kamusi. Field Team Leader held meetings at Kamusie; other government departments inspected bush camps, debriefed the company and flew back to POM. Forestry/environment, including PNGFA regional inspector inspected set-ups.
- The Review Team Leader was handed a photocopy of correspondence indicating that certain people, including Solomon Kosa, Udu Dumai and Max Senewa, who signed a request to WGTC for allowances which are tantamount to payment for

⁴ These meetings were held everynight, often until midnight.

attempting to disrupt the meeting. Several people were paid amounts varying from K50 to K200 each, authorised by Gabriel Samol⁵ (see attachment).

- Foreign Affairs, Labour and Industry and Community Development officers flew back to POM.

Thursday 22 April

- Landowner Specialist and Field Team Leader travelled down the Wawoi River from Panakawa to investigate environmental concerns at stations 1 to 5 (strategic locations where barges stop and await the right conditions for navigating the river) and held a meeting with landowners at station 5 (Tirere and Maipami).
- Environmentalist/Regional Inspector inspected the re-entered set-ups near Sogae.
- In the evening we were briefed about guns and drug smuggling and Task Force Human Rights abuses.

Friday 23 April

- Landowner Specialist held meeting at Panakawa, Field Team Leader held meeting at Kamusie, Environmentalist inspected concerns around Kamusie Base Camp, Regional Inspector briefed Operations Manager about Review Team findings wrt to Logging Code of Practice and issued a "Lawful Direction"⁶.
- At the Kamusie meeting the Field Team Leader cautioned the people to stay calm until the situation regarding establishing a stable and trustworthy police contingent were installed at Kamusie as we were seriously concerned that once we and the mobile squad were not present, the situation whereby the police in the companies payroll could go back to their old ways.
- Three members of security contingent flew out to POM, with Environmental specialist.

Saturday 24 April

- Team Leader warned Operations Manager, Mr Ling, not to take action against the landowners and workers who had cooperated with the Review Team.
- Photos taken of a foreign national who had closed her trade store and "ran away" whilst the Labour and Foreign Affairs Department officers were at Kamusie.
- Task force member deployed at Kamusie, (name deleted⁷) reported that he had been told that Mr Ling had contacted the Task Force "Boss" and complained

⁵ I believe this to be in contempt of the court order, by the WGTC, the recipients and Mr Gabriel Samol.

⁶ No. A 3704, directing the Camp Manager, Pacific Wood Contractors Ltd, to refrain from felling in unapproved set-ups, (two unapproved set-ups had been logged in total breach of the PMC Procedures for Natural Forest Logging under Timber Permit).

⁷ This officer has indeed been charged, gaoled and is now suspended, basically for "assisting" the Review team.

about him cooperating with the Review Team, he is concerned that he may be dismissed for cooperating with us,(which we consider to be a legitimate role for any RPNGC police officer).

- Review Team departed for POM.

Recommendations for Immediate Action:

It is recommended that any police being paid by the PNG government who are stationed at Kamusie, Panakawa or elsewhere in the Wawoi Guavi TRP and who are provided with allowances by the company, be replaced by trustworthy Royal Papua New Guinea Constabulary police who are provided with relevant allowances by the PNG government so that the government of Papua New Guinea regains control of law and order.

It is further recommended that this be considered a matter of national security and expedited as soon as practicable in order to ensure the safety of genuine landowners who are at risk until the situation is satisfactorily resolved.

Final Comments:

The Review Team would, once again, take this opportunity to thank the National Security Council, Joe Asaigo, Gerry Baki, and particularly the security contingent for their efforts, which have achieved such a good outcome.

We will now continue to prepare our draft report.

Yours Sincerely,

Tom Diwai Vigus
Field Team Leader/Forester
Anzac Day 2004