

# United States Senate

WASHINGTON, DC 20510

December 7, 2016

The Honorable Peter O'Neill  
National Parliament P O  
Parliament House  
Waigani, N.C.D  
Papua New Guinea

Dear Mr. Prime Minister:

We are writing to convey our concerns regarding the expropriation of millions of hectares of customary land and the destruction of tropical rainforests critical to the livelihoods and cultures of Papua New Guinea's citizens as a result of the abuse of Special Agriculture and Business Leases (SABLs). We are particularly troubled by reports that police paid by logging companies have engaged in violence and intimidation against unarmed villagers trying to protect their land.

According to information we have received, between 2003 and 2011, more than 50,000 km<sup>2</sup> of land – roughly 12 percent of PNG's land area – has been leased by the government to foreign-backed companies using the SABL mechanism. A Commission of Inquiry and five court decisions, including a recent ruling by the Supreme Court, have reportedly concluded that customary landowners were unlawfully deprived of their land under SABLs. Despite this, logging under the leases continues, destroying the rainforest and causing harm to thousands of people and the natural resources they depend on.

The struggle of Mr. Paul Pavol Palosualrea, who was awarded the 2016 Alexander Soros Foundation Award for Environmental and Human Rights Activism, is indicative of the human rights and environmental crisis in PNG. According to Mr. Pavol, the government gave away land belonging to his community and others in the Pomio District of East New Britain province without their consent. Since 2010, the Malaysian logging company Rimbunan Hijau has been clearing Pomio's unique rainforests, despite their inclusion in a UNESCO World Heritage Tentative Listed site. Villagers opposing the operation have reportedly been subjected to acts of violence by police being paid by the company, yet no one has been prosecuted.

This situation is not limited to Pomio. Communities across PNG are seeing their land forcibly taken away, their water sources polluted, their food supplies decreasing, their sacred and historical sites razed, and their traditional cultures under siege.

In 2014 and again last month, your government committed to cancelling SABLs. While we welcome this announcement, we are not aware of any actions that have actually halted logging and returned customary land to communities. Concerns over land expropriation, illegal logging, and police violence were raised by members of the UN Human Rights Council during PNG's Universal Periodic Review this year and reflected in recommendations accepted by your government. We urge you to fulfil these commitments to human rights and the rule of law by –

- halting logging in all SABLs, cancelling illegal land titles and logging permits, and returning customary land to its rightful owners;
- pulling police out of logging operations and prohibiting the acceptance of compensation from logging companies; and
- pursuing accountability where laws have been violated.

We appreciate your consideration of our concerns.

Sincerely,



PATRICK LEAHY  
United States Senator



JEFF MERKLEY  
United States Senator