

# **Buk bilong ol Lo bilong Lukautim Graun na Bus long Papua Niugini**



## **A Landowner's Handbook to Relevant Environmental Law in Papua New Guinea**

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**Dispela buk em i buk bilong ol Komuniti insait long YUS Lokal Leval  
Gavman, Kabwum Distrik, Morobe Provins, Papua Niugini wantaim ol  
lain bilong Tri Kengeru Konsevesen Progrem.**

This handbook was written for the Communities of the YUS Local Level  
Government, Kabwum District, Morobe Province, Papua New Guinea and  
the Tree Kangaroo Conservation Program.

**Sapos yu laik ritim dispela buk long Tok Inglis, yu ken i go long pes 33.  
To see the English version of this handbook please turn  
to page 33.**



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## Ol Luksave

Mi laik tok hamamas na tenkyu long Martin Negai long skruim na kliaim toktok istap long dispela buk. Wankain mi laik tok tenkyu long Toby Ross long stretim na edim samplea tok istap long dispela buk. Na tu Dr. Lisa Dabek i saplaim sampela tingting na mi laik tok tenk yu long en. Mi laik tok tenkyu tru long Ruby Yamuna, James Slotta, James Qasarike, na Damlap Qasarike. Ol i givim bikpela helpim long mipela na tanim tok i stap long dispela buk i go long Tok Pisin. Mi laik tok tenkyu long Damein Ase bilong Senta bilong Lo bilong Envairamen na ol Raits bilong gras-Ruts (CELCOR) na Almah Tararia na Paula Nato bilong Senta bilong Lo bilong Envairamen (ELC), long strongim mi long dispela wok na halivim mi long kamapim dispela buk. Na tu mi laik tok tenkyu long John Chittoa na Yat Paol bilong Bismak-Ramu long soim mi ol kontrak bilong lukautim na tambuim bus na graun, na tu mi laik tok tenkyu long ol papagraun bilong Tokain long tok klia long mi long as tingting bilong dispela kontrak. Las tru mi laik tok tenkyu long Ed Mayer na Sue Brown bilong Netsa Kansevensi long wok bilong ol long kamapim sampela tingting long wei we Lokal Leval Gavman iken lukautim ol hap busgraun long en.



## Tok Igo Pas

Long Papua Niugini planti pasin na kastom bilong bipo i lus nau. Tasol sampela pasin na kastom bilong bipo i stap yet na i save strongim yupela. Taim Papua Niugini i kisim Endipendens, gavman bilong Papua Niugini i luksave long ol gutpela pasin na kastom bilong ol tumbuna na ol putim insait long Mama Lo (Konstitusen) bilong kantri. Ol i mekim strongpela tok olsem: ol manmeri bilong Papua Niugini i mas bihainim ol gutpela pasin bilong tumbuna long sait bilong lukautim ol bus, graun, wara, solwara, abus na binatang. Nau ol dispela toktok istap insait long Mama Lo na i tok olsem:-

“MIPELA OL MANMERI BILONG PAPUA NIUGINI ... i luksave na tingim ol tumbuna bilong mipela. Ol i as bilong strong bilong mipela na ol i kamapim kainkain gutpela kastom na pasin na tingting. Na dispela i stap wantaim mipela yet...”

“MIPELA I TOK KLIA olsem: wanem ol developman samting mipela ol manmeri bilong Papua Niugini i laik kamapim insait long kantri bilong mipela, mipela i mas bihainim gutpela pasin na tingting na bai mipela i kamapim dispela senis. Sampela stia tok bilong kamapim senis insait long kantri mipela i listim daunbilo:

4. Long sait bilong risos na envairamens:

***Mipela i tokaut olsem: namba foa samting mipela i laik kamapim long kantri bilong mipela, em i olsem: lukautim ol risos (diwai na abus na ston na wara samting) na yusim inap long mak we ol pikinini i kam bihain bai ino pilim sot long wanpela samting.***

OLSEM NA MIPELA GIVIM STIA TOK LONG OL MANMERI BILONG PAPUA NIUGINI OLSEM -

- 1) Tingting gut na yusim ol risos na ol samting bilong bus na graun na ol samting i stap insait long solwara long kamapim gutpela sindaun bilong yumi nau na bilong ol lain pikinini bai kam bihain; na
- 2) Was gut na banisim ol bus na graun na wara na ol bus samting i luk nais, ol ples tambu, na ples igat tumbuna stori long en. Ol dispela bai helpim yumi nau na bihain taim tu; na
- 3) Kamapim gutpela wei bilong lukautim ol gutpela pisin, na ol abus na ol pis na ol binatang na ol bus na diwai

“5. Pasin bilong Papua Niugini

***Mipela i tokaut olsem: namba faiv samting mipela i laik kamapim long kantri bilong mipela i olsem: Mipela laik bihainim ol pasin na kastom bilong Papua Niugini stret na long dispela wei tasol bai mipela developim kantri bilong mipela.***

OLSEM NA, MIPELA GIVIM STIA TOK I GO OLSEM -

- 2) Sapotim ol gras-ruts bisnis na gras-ruts oganaisesen na grup long wok bilong ol na long dispela rot bai yumi yet developim kantri bilong yumi yet,”

“OLSEM NA, MIPELA TOKAUT olsem: ol manmeri long Papua Niugini i mas tingim ol yet na pikinini na tumbuna bilong ol yet na:- ...

- d) lukautim Papua Niugini na risos, envairamen na ol gutpela samting istap long hia bilong helpim yumi nau na bilong helpim ol lain pikinini tumbuna bai istap bihain;”

### **Konstitusen Bilong Papua Niugini (1975)**

Toktok bilong gavman i klia. Yupela, ol papagraun, i gat rait long sindaun na wokim samting long graun bilong yupela na mekim long wei bilong yupela yet. Na tu, yupela i gat rait long bihainim ol kastom bilong yupela. Gavman bilong Papua Niugini i sapotim yupela long dispela. Tasol yupela i mas lukautim graun bilong yupela na tingim ol lain pikinini na tumbuna bilong yupela. Yupela i mas yusim graun na envairamen, ol abus na diwai, inap long skel bilong yupela na larim sampela samting i stap bilong ol lain bilong yupela bai ikam bihain. Ol graun na bus na gaden inap long lukautim hamas man? Tasol taim ol dispela i bagarap, ol man bai mekim wanem? Ol bai wokim haus wantaim wanem samting? Ol bai kaikai wanem samting? Ol bai wokim bisnis long wanem samting?

Olsem na, yumi mas developim kantri long wei we graun na envairamen i no inap kisim bagarap long en. Dispela buk bai helpim yu wantaim sampela tingting long sait

bilong lo bilong graun insait long Papua Niugini na wei bilong yusim dispela ol lo long lukautim graun bilong yu. Tu, em bai kliaim sampela toktok olsem: Konsevesen i wanem samting? I gat konsevesen long arapela hap bilong PNG o nogat? Ol lain long arapela hap bilong PNG save mekim wanem long sait bilong konsevesen? Taim mi tambuim graun bilong mi, bai mi stap papa bilong en o bai narapela man kisim? Sapos yu gat dispela kain askim, ridim dispela buk na em bai kliaim sampela tingting bilong yu. Yumi olgeta i save olsem graun na bus na abus na wara i bikipela samting bilong yumi nau na bilong ol pikinini tumbuna bilong bihain. Lukautim gut dispela ol samting bilong yu na em bai sevim planti man tude na tumora tu – dispela buk bai helpim yu long was gut long dispela ol samting bilong yu.



## Sapta 1 – Bun Tok

Yupela ol papagraun insait long Papua Niugini i laki tru. Long planti kantri gavman i rausim ol papagraun long graun bilong ol na ol kain kain kampani i kam kisim dispela graun. Nau planti manmeri bilong ol bus ples long arapela kantri i sot long graun na gaden, diwai na kaikai. Tasol long Papua Niugini, bikpela hap tru, olsem 97 pesen bilong graun insait long PNG, i stap long han bilong ol papamama bilong ples, ol gras-ruts. Ol i bosim graun bilong ol yet. Olsem na mi tok olsem yupela i laki tru.

Dispela ol graun bilong yupela ino bilong groim kaikai tasol. Nogat. Em i bun bilong yupela – stori na strong bilong bipo i kam inap nau, olgeta i stap long graun bilong yupela wanwan. Na tu taim ol man o meri i lusim graun bilong ol na i go raun long sampela hap, bai yu harim ol krai na singaut long gutpela hap eria bilong ol. Dispela tasol em i as bilong dispela tok: ‘Graun, em i laip.’ Olsem na yumi ken tok olsem ol graun bi long Papua Niugini em i laip bilong ol pipol.

Ol tumbuna bilong yupela i bin lukautim graun bilong ol hamas handret yia igo pinis ananit long pasin na kastom bilong yupela yet. Nau yu bai harim sampela man i tok olsem: “Kastom bilong tumbuna i no gutpela, pasin bilong ol em i ol longlong pasin bilong bipo.” Tasol yumi save olsem planti pasin na kastom bilong bipo i save helpim yumi na i no nogut. Ol kastom bilong tumbuna bilong yupela long lukautim ples na sindaun bilong ol lain manmeri i stap yet na save helpim yumi. Olsem na planti kastom bilong yupela em i bikpela samting insait long laip bilong yupela wanwan. Na lo bilong Papua Niugini i strongim dispela ol kastom bilong yupela. Lo bilong gavman na ol lo na kastom bilong ples i no birua birua – lo bilong gavman i laik strongim ol kastom bilong yupela yet.

Yupela ol papagraun long Papua Niugini iken hamamas, long wanem, Mama Lo bilong kantri i strongim kastom na pasin bilong tumbuna bilong yupela long lukautim na yusim graun. Long planti arapela kantri, i no olsem – Mama Lo bilong ol i laik rausim ol kastom na lo bilong ol busples. Tasol long Papua Niugini ol kot na jas na mejistret i mas luksave na bihainim dispela ol kastom na lo bilong tumbuna bilong yupela.

Wanpela kastom bilong bipo em i olsem: bipo ol tumbuna i save long ol hap graun em i ples tambu o ples masalai na ol i save tambuim ol man long ol no ken wok gaden o katim bus na diwai o painim abus long ol dispela hap. Na ol manmeri i save na ol i no save mekim nabaut nabaut long dispela kain hap.

Tasol nau kainkain nupela tingting i kam insait. Tingting bilong kirapim bisnis na kisim moni i kam na dispela i mekim pasin na kastom bilong yupela i senis. Sampela pasin na kastom bilong bipo i lus na nupela pasin i kam insait.

Na tu, planti toktok i kamap long senisim pasin bilong bosim graun. Bipo ol klen o femili save bosim graun. Tasol nau long sampela hap bilong Papua Niugini dispela i wok long senis na wanwan man i kamap papa bilong wanwan hap graun. Ol man i tilim graun na wanwan man i kisim wanwan hap bilong em yet em yet. Na nau dispela kain tok i kamap pinis long YUS. Sampela man bai i tok olsem: tilim graun long wanwan man o wanwan femili na kisim ol kampani i kam insait na wok maining o loging. Ol dispela kain toktok bai givim kainkain tingting long man na yupela bai tingting planti bikos toktok bilong moni na senisim pasin em i bikpela samting. Dispela bai kirapim tingting bilong yupela long wei bilong yusim graun na bai yupela askim: pasin kastom bilong bipo bai yumi givim baksait long en o nogat. Olsem na mipela raitim dispela buk bilong halivim yu long skelim ol dispela kain toktok na tingting. Yupela bai kisim sampela tingting long dispela buk na bai yupela yet skelim toktok bilong ol maining na loging kampani. Bai yu kisim sampela save long dispela buk na em bai helpim yu long yusim graun bilong yu gut, inap long ol pikinini na tumbuna bilong yu bai i gat diwai na kaikai na abus na olgeta presen i stap antap long dispela graun.

Yupela ol papa graun bilong nau, yupela em ol namel lain. Yupela i stap namel long ol lain tumbuna bilong yupela bilong bipo bipo tru na ol lain pikinini tumbuna bilong yupela bai i kamap bihain. Wanem samting yupela wokim long ol bus na graun bilong yupela nau, em bai ol pikinini tumbuna bilong yupela lukim gutpela na nogut bilong en bihain. Olsem na, Mama Lo (Konstitusen) bilong Papua Niugini i tok olsem: yupela i mas yusim ol samting istap long bus na graun na wara wantaim gutpela tingting. Dispela ol samting i bilong helpim yu yet na ol lain bai i kam bihain. Na tu na yupela i mas yusim dispela ol samting long kamapim senis na gutpela sindaun bilong yupela na ol tumbuna bilong yupela. Tasol yu no ken yusim long wei bilong ol lain bilong arapela kantri. Yupela i mas bihainim pasin bilong Papua Niugini stret na yusim ol dispela samting bilong developim kantri long wei bilong Papua Niugini. Mama Lo bilong kantri i givim dispela stia tok.

Long Papua Niugini, ol femili na ol klen i stap papagraun. Gavman na ol kampani i no kisim bikpela hap graun, olsem ol i bin kisim long arapela kantri. Tasol nau, long dispela taim, gavman bilong Papua Niugini i gat wok long helpim ol gras-ruts long bosim graun bilong ol gut. I no olsem gavman i mas kisim graun bilong ol femili na klen. Nogat. Em i olsem, gavman i gat wok long helpim ol gras-ruts wantaim sampela stia tok long lukautim graun bilong ol. Nogut sampela ausait lain i kam na bagarapim graun bilong ol. Tasol planti taim, gavman bilong Papua Niugini ino save helpim ol gras-ruts long lukautim graun na envairamens bilong ol.

Nau ol nupela pasin na tingting i wok long kam insait long Papua Niugini. Olsem na nau ol papagraun mas wok bung wantaim gavman long kamapim gutpela tingting bilong lukautim ol risos na rait bilong ol papagraun. Taim gavman na ol papagraun i wok wantaim, ol save kolim dispela pasin “wokbung”. Na planti ol papagraun insait long ol arapela kantri i bihainim dispela pasin wokbung na dispela tingting em wok long strongim ol papagraun na gavman tu. Dispela pasin bilong wokbung igat gutpela as tingting. Wokbung bai helpim ol papagraun holim pasim graun bilong ol yet na tu lukautim bus na abus na diwai inap long ol tumbuna bilong bihain bai yusim na sindaun gut. Em save bungim ol papagraun wantaim gavman na gavman i save strongim wok bilong ol papagraun na sapotim ol long lukautim bus bilong ol.



Dispela buk bai tokaut na tok klia long ol lo bilong bosim graun. Lo bilong Papua Niugini em i bikpela samting tumas, olsem na mi raitim nem bilong sampela arapela buk i stori long lo bilong envairamens na lukautim bus long pinis bilong dispela buk. Samting mi no inap toktok long en long dispela buk, yu ken i go na painim long dispela ol arapela buk. Tu, mi raitim nem bilong sampela lain i save givim gutpela stia tok long ol gras-ruts long Papua Niugini long sait bilong lukautim graun na bus bilong ol. Dispela ol lain i ken halivim yupela moa. Dispela buk em bai halivim yu wantaim sampela tingting, tasol yupela yet i mas skelim gut na sapos sampela samting i no klia, yupela i mas toktok wantaim ol loya na ol man i save long lukautim bus.



## **Sapta 2 – Pasin Bilong Bosim Graun na Lukautim Ol Samting Istep Antap long En**

Planti ol manmeri long ol ples insait long Papua Niugini i save kisim planti samting long halivim sindaun bilong ol long ol bus na graun bilong ol yet. Sapos yupela nogat graun bai yupela kisim kaikai we, wokim haus wantaim wanem samting, hotim skin long wanem paia? Graun em i olsem laip bilong yupela. Olsem na taim yumi was na lukautim gut olgeta samting istap antap long graun, em i wankain olsem yumi was na lukautim laip bilong ol manmeri.

Wanpela bikpela tok long tok Inglis nau em “BAIODAIVESITI”. Nau dispela tok i kamap olsem wanpela bikpela tok insait long skul bilong sains, i stat long yia 1980 na i kam i kam inap nau. Nau em i kamap wanpela nambawan tok long ol saveman bilong sains. Dispela tok em i minim ol kainkain ol samting i stap long bus: ol kainkain diwai na ol kainkain abus na ol binatang na olgeta arapela samting i stap laip insait long bus.

Sampela hap i nogat planti ol kainkain diwai na abus. Ol i gat wanpela o tupela kain diwai na tripela o fopela kain abus tasol. Ol i nogat planti baiodaivesiti. Tasol long Papua Niugini, yupela i gat hamas kain ol diwai na abus na flawa na samting i stap long bus. I no wanpela o tupela kain diwai tasol i stap long bus bilong yupela. Em sampela handret kain kain ol diwai i stap long bus bilong yupela. Wankain long ol kainkain kapul na rat na binatang na kumu gras na arapela samting tu. Yupela i gat planti baiodaivesiti.

Nau ol save manmeri bilong skul sains i luksave olsem Papua Niugini i wanpela hap we i gat moa baiodaivesiti long en. Insait long dispela wol i gat 34 (tripela ten foa) hap ol i makim olsem hap i gat planti baiodaivesiti – na Papua Niugini i wanpela bilong dispela 34 hap i gat planti baiodaivesiti.

Ol asples lain manmeri tu i luksave pinis long dispela olgeta kainkain samting istap long bus bilong ol na tu ol save mekim planti samting bilong lukautim ol dispela kainkain samting.

Ol manmeri insait long hap bilong YUS LLG, maski yu save o yu no save long dispela hap tok ‘baiodaivesiti,’ tasol yupela save pinis olsem eria bilong yupela i pulap long ol kainkain diwai, abus, flawa, na ol samting – em i pulap long baiodaivesiti. Yupela i stap long wanpela hap we i gat planti ol kainkain samting tru na ol saveman bilong sains i luksave olsem dispela kain hap i bikpela samting tumas. Sampela ol samting istap long bus bilong yupela em bai yu no inap lukim long arapela hap long PNG na tu yu no inap lukim long ol arapela kantri. Nogat long wanpela arapela hap bilong dispela graun.

Yupela i save gut tru long ol dispela samting i stap long bus na yupela get yus pinis long ol dispela samting na sampela yupela ting olsem dispela ol samting i stap long olgeta hap bilong graun. Tasol ol saveman i kam na lukim ol dispela ol kainkain abus na diwai na flawa i stap long bus bilong yupela na ol i kirap nogut. Long wanem, ol i no bin lukim dispela ol samting bipo. Ol i gat planti save tasol ol i no save long ol dispela samting na dispela i kirapim bel bilong ol long kisim sampela save moa. Na ol i laik helpim yupela long lukautim ol dispela samting. Long wanem, ol i skelim olsem bikpela samting tru na nogat dispela ol kainkain diwai, abus, binatang samting long arapela hap insait long wol na nogut em i pinis insait long YUS. Sapos dispela i pinis long YUS bai wol i nogat dispela ol samting nao.

Yupela ol lain YUS i save yusim bus na graun bilong yupela long mekim planti planti samting. Yupela save rispektim olgeta samting istap insait na antap long bus na graun bilong yupela. Dispela graun na bus na olgeta samting long busgraun i save halivim laip na sindaun bilong yupela. Yupela yet i save pinis olsem bus na graun bilong yupela i bikpela samting stret.

Bilong wanem ol lain YUS i hamamas na wanbel long wok bung wantaim TKCP na tambuim hap bus na graun bilong ol? Em i olsem: ol i save na klia gut tru long wanem em gutpela bilong ol samting istap long bus na graun bilong ol na ol i gat laik long lukautim bilong helpim ol pikinini na tumbuna bilong ol. Ol lain sains lukim dispela pasin bilong ol na ol i laik sapotim ol manmeri bilong YUS long bus bilong ol i no ken bagarap.

Ol YUS, ol i save gut long skelim na luksave long wei ol kainkain diwai na abus i stap. Na ol i save gut long wanem kainkain ol abus na diwai na binatang i stap na tu wanem taim ol i wokabaut na kaikai na wanem taim bai kru bilong samting i kam antap. Em wankain save olsem ol saveman bilong skul sains i save kisim.

Yupela ol lain YUS, yupela i save olsem 800 ol kain kain abus, diwai, binatang na plawa ol istap long graun bilong yupela. Olsem na ol saveman i kam insait long wokim planti wok painimaut long bus bilong yupela. Ol papagraun ol i save yusim sampela 500 kainkain diwai na rop na plawa long mekim kainkain wok long ples. Sampela bilong wokim bombom, sampela bilong yusim olsem marasin bilong sik na soa, na sampela bilong bilas na singsing. Na tu ol lain papagraun bilong YUS, ol i gutpela lain tru long planim gaden. Yupela save planim kainkain kaikai long gaden, sampela ating i plantim inap long 250pela kain gaden kaikai. Sampela kain kaikai yupela yet i kisim i kam long arapela hap na planim na sampela yupela yet lukautim na senisim liklik na i kamap nupela kain kaikai liklik. Tru, long planti pasin yupela i save bihainim ol pasin bilong tumbuna stret, tasol yupela i gat wankain save long bus na samting i stap insait long en olsem save bilong ol saveman i wok long yunivesiti. Maski yupela i stap long bus ples, save bilong yupela long sait bilong bus i winim planti ol saveman bilong skul.



## **Sapta 3 – Husat Istap Papagraun long Papua Niugini**

### **1. Graun Bilong Gavman (pablik len)**

Ol graun Gavman i bosim, ol i lukautim bilong helpim ol manmeri bilong kantri. Sampela taim Gavman i save yusim ol dispela graun long kamapim sampela samting bilong bihain taim, olsem sampela developman olsem rot o fam o kain samting olsem. Tasol taim nupela man i kamap memba o praim minista, em ken senisim tingting long wei bilong yusim ol dispela graun. Sampela taim ol i makim wok bilong wanpela hap graun na em i hat long nupela man i senisim. Olsem taim ol makim wanpela hap graun olsem Nasinol Pak (hap graun wei em bai i stap bus tasol na ol kampani i no ken kam insait na katim diwai o wokim main) em i hat long nupela memba o praim minista i rausim Nasinol Pak na kisim kampani i kam insait long dispela hap. Tasol sapos i no gat dispela strongpela tok, olsem Nesenal Pak, i banisim wanpela hap graun, nupela memba o praim minista i ken wokim ol nupela projek long dispela hap graun bilong gavman. Bihain long ileksen, sapos nupela lain i kisim pawa, ol i ken kamapim ol nupela nupela samting long graun bilong gavman. Olsem na, gavman i no save bihainim wanpela rot long yusim graun bilong ol na wokim sampela gutpela samting. Nogat. Olgeta yia, ol save givim nupela wok long graun bilong ol. Em tasol, na nogat planti gutpela samting i kamap long graun bilong gavman.

### **2. Graun Bilong Ol Klen O Femili (kastom len)**

Planti graun long Papua Niugini ino istap long han bilong gavman. Em i stap long han bilong ol manmeri bilong ples. Ol dispela graun i stap long han bilong ol femili na klen na yupela save bosim ananit long ol lo na kastom bilong ples. Olgeta man insait long femili o klen igat rait long yusim graun long wokim gaden, kisim paia, panim abus na kisim diwai na rop bilong wokim haus. Pasin bilong bosim graun wantaim ol lain bilong yu i save strongim femili na klen bilong yu. Tasol tu, wanwan man i gat rait long planim diwai na gaden long dispela graun. Taim man i planim samting long dispela graun, em i kamap papa bilong dispela diwai o gaden. Tasol, graun yet i stap long han bilong femili o klen olgeta, i no wanpela man tasol i stap papa bilong en. Dispela i min olsem ol wanwan man ino inap salim graun na kisim moni long en, sapos nogat tok orait bilong olgeta man insait long klen o femili. Ol lida man bilong klen o femili tasol iken kisim maus bilong femili o klen na toktok long salim graun na kisim moni long en. Mama Lo (Konstitusen) bilong kantri bai strongim ol lo na kastom bilong tumbuna, sapos ol lo bilong tumbuna i no kalapim Mama Lo bilong kantri.

Planti ol graun istap long han bilong ol manmeri long ples ino inap long helpim man long developim ples. Taim graun i stap long han bilong wanwan man, ol i ken yusim dispela graun long dinau long beng na kisim moni bilong beng long wokim sampela bisnis na kamapim developman. Tasol, taim graun i stap long han bilong femili o klen, ol papagraun i no inap yusim dispela graun long dinau long beng na kisim moni long mekim sampela wok. Sapos yupela i laik makim wanwan man olsem papagraun bilong wanwan

hap graun bilong yupela em inap long dispela ol wanwan man i dinau long beng na kisim moni long wokim bisnis samting. Tasol dispela rot i gat planti hevi bilong en.

Wanpela em i olsem: sapos wanpela man i dinau long beng na kisim moni bilong beng long wokim bisnis samting na long taim beng i makim dispela man i no bekim moni bilong beng, bai beng i kisim graun bilong dispela man. Olgeta graun bilong man bai lus na beng bai kamap papa bilong en. Na man ya bai mekim wanem? Em nogat graun nau. Em bai lusim ples na i go painim wok long taun o stap long ples na kaikai kunai tasol. Nogat graun bilong wokim gaden o kisim paia o pos long en Sori tru, tasol man i no bekim dinau bilong beng na beng i kamap papagraun pinis.

Narapela hevi bilong dispela rot em i olsem: sapos yupela tilim graun bilong klen i go long han bilong wanwan man, strong bilong femili na klen bai lus na ol wanwan man bai tingim em yet em yet na pasin bilong helpim narapela narapela bai pinis. Nau ol man insait long klen na ples i mas wanbel na pasim tok pastaim na bihain bai ol mekim samting. Sapos wanwan man i kamap papa bilong wanwan hap graun, wanwan man bai mekim laik bilong en long graun bilong em yet, na bai em i lus tingting long wanbel pasin.

Na nau olgeta hap graun i gat planti papa bilong en, olsem olgeta papa bilong klen o femili i stap papa bilong graun. Dispela i mekim na i hat long salim graun o diwai samting long wanpela kampani na kisim moni long en. Long wanem, planti man insait long femili na klen bai tubel na tok nogat long salim graun o diwai. Planti man i ting olsem, sapos yumi ken salim graun o diwai na kisim moni em bai gutpela, em i rot bilong kisim moni na developman. Tasol i gat hevi bilong en. Taim kampani i kamap papa bilong graun bilong yu o kampani katim diwai bilong yu, bai yu planim kaikai we? Bai yu kisim paia na pos na bombom we? Moni yu kisim bai i stap sotpela taim na em bai pinis, tasol graun bilong yu bai i stap inap long heaven na graun i pinis. Olsem na, taim femili o klen i stap papa bilong graun i moa gutpela, long wanem, i no inap long wanpela man i no gat planti save i salim graun na kisim moni na pinisim graun bilong yupela. Long pasin bilong ples, yupela ol femili na klen i mas toktok na skelim na wanbel pastaim na bihain bai yupela mekim samting long graun bilong yupela. Long dispela rot, bai graun bilong yupela i stap ananit long gutpela tingting na save bilong yupela yet. Dispela kain pasin em narakain tru insait long olgeta hap bilong dispela wol. Em i stap long Papua Niugini tasol. Em tasol na yupela i stap papa bilong graun bilong yupela hamas handret yia na i stap papa bilong graun yet.

### **3. Graun Bilong Wanwan Man (fri hol len)**

Igat ol hap graun tu we ol wanwan man i stap papa bilong en. I no olsem femili o klen i stap papa bilong graun ananit long kastom na histori bilong ples. Nogat. Dispela em i narapela rot long kamap papa bilong graun. Em i olsem: wanpela man o wanpela grup (olsem wanpela kampani) i baim graun bilong narapela man wantaim moni na i kamap papa bilong en. Bihain, em i laik lusim dispela graun, em i ken salim long narapela man na kisim moni long en. Dispela i no kastom bilong Papua Niugini. Em i wei bilong ol waitman long kamap papagraun.

Taim ol man i baim graun olsem, ol i no tingting long lukautim dispela graun gut. Ol i tingting long wokim bisnis na kisim moni tasol. Ol i save olsem, bihain ol pikinini na tumbuna bilong ol i no inap sindaun long dispela graun. Ol bai baim graun bilong ol yet

long narapela hap ken. Olsem na, ol bai hariap na bagarapim dispela graun – katim diwai, digim main, na tromoi ol pipia na marasin nogut long en. Ol i tingting long yusim dispela graun sotpela taim long kisim moni na bihain ol bai lusim na i go baim graun long narapela hap we i no gat kain bagarap olsem.

Dispela pasin bilong wanwan man o kampani i stap papagraun em i nupela samting long Papua Niugini. Ol lain i kam insait long arapela kantri na baim graun long Papua Niugini na kamap papagraun, ol i no save long stori bilong graun na ol samting i stap long en. Ol i no bisi long lukautim gut graun wantaim ol samting i stap long en. Long wanem, bihain ol bai salim ken na kisim moni na kalap i go long narapela hap. Taim ol klen na femili bilong ples i stap papa bilong wanpela hap graun, ol bai save gut long stori bilong ol hap graun bilong ol na ol bai save long olgeta samting i stap long en na lukautim graun wantaim ol dispela samting gut. Tasol pasin bilong wanwan man i stap papagraun i no olsem.

#### **4. Graun I No Gat Papa Bilong En**

Dispela i minim ol hap graun i no gat papa bilong en na ol manmeri i ken yusim long laik bilong ol. Nogat wanpela man i ken stopim narapela long yusim dispela graun.

#### **Ol Kastom Bilong Ples Na Lo Bilong Gavman**

Lo bilong gavman na kastom bilong ples i no wankain samting. Wanem samting i no wankain? Bikpela samting em i olsem: ol i bin raitim olgeta lo bilong gavman long pepa na istap long buk pinis, tasol ol kastom bilong ples ol tumbuna i no bin raitim. Ol kastom bilong ples istap long tingting na save bilong ol man. Olsem na, sampela taim gavman i ken askim ol lain long ples na kisim save long ol kastom bilong ples na raitim long pepa na ol dispela kastom i ken kamap lo bilong kantri.

Tasol, ol kastom bilong ples em i samting bilong strongim ples, i no samting bilong olgeta man insait long kantri. Kastom bilong ples i save helpim ol man long ples long i stap gut wantaim arapela arapela. Kain kastom olsem pasin bilong helpim wantok wantok i save strongim sindaun bilong ol man long ples. Tasol, insait long Papua Niugini olgeta, i gat planti man i no wantok bilong yu i stap, na bai yu bihainim wanem kain pasin na i stap gut wantaim ol? Ol i no wantok, olsem na kastom bilong ples bilong en em i narapela na bilong yu i narapela. Olsem na, i mas i gat sampela kain lo bilong olgeta man insait long kantri inap long olgeta man i bihainim em. Dispela i no kastom bilong wanpela ples. Dispela em i lo bilong gavman. Em i save helpim ol man i no wantok wantok long sindaun gut wantaim narapela narapela insait long kantri. Dispela lo i no sut long strongim wanpela klen o ples. Nogat. Em i bilong kamapim gutpela sindaun bilong olgeta man insait long kantri. Em i bilong kamapim developman na daunim pasin bilong birua na pait insait long olgeta hap bilong Papua Niugini.



## **Sapta 4 – Ol Lo Igo Pas long Banisim Ol Hap Graun long Papua Niugini**

Igat planti ol lo long Papua Niugini bilong banisim na lukautim ol graun, wara, solwara na ol kainkain abus na ol kainkain binatang. Dispela ol lo i toktok long wei bilong banisim ol netrol risosis na stretim ol tok-pait bilong graun. Tu ol toktok long wei bilong yusim ol wara na kainkain ston na diwai i stap antap na ananit long graun.

Olgeta dispela lo i gat pawa insait long kantri, tasol insait long dispela buk bai yumi lukluk long sait bilong ol lo bilong lukautim graun na bus na ol lo bilong i stap papa bilong hap graun. Long wanem, mipela wokim dispela buk long helpim ol papagraun long YUS eria long lukautim graun bilong ol.

Long dispela sapta bilong buk, bai yumi toktok long ol lo bilong gavman i go pas long banisim o tambuim graun na envairamens insait long Papua Niugini. Ol dispela, em i lo bilong tambuim hap graun na larim ol diwai na abus samting i ken i stap gut na no gat man bai i go kisim o bagarapim. Lo bilong Papua Niugini i gat tripela kain rot long tambuim graun: 1) wanpela ol kolim Nasinol Pak, 2) namba tu ol kolim Wail Laip Menesmen Eria na 3) las ol kolim Konsevesen Eria.

### **1. Nasinol Pak I Wanem Samting? (Na tu bai yumi tatsim arapela hap olsem ples bilong lukautim ol pisin na ol Provinsel Pak, Netsa Resef, na kain samting olsem)**

Dispela tok Nasinol Pak i makim wanpela hap graun we ol gavman i putim strongpela tambu long en long ol man i no ken go insait na bagarapim o kisim diwai na abus samting. (Lo bilong kamapim ol Nasinol Pak i stap ananit long Nasinol Pak Lo (Sapta 157 bilong 1982)). Dispela hap graun ol makim olsem Nasinol Pak, em ol saintis na ol as ples tasol bai yusim. Ol kampani i no inap go insait long dispela hap na rausim diwai o gol o arapela ston i stap long graun. Nau i gat 23 Nasinol Pak insait long Papua Niugini. Long sapta 3 mi bin tok olsem, long Papua Niugini i gat sampela hap graun we gavman i papa long en, na sampela hap we ol as ples femili o klen i papa bilong en, na sampela hap we wanwan man i baim em wantaim moni na kamap papa bilong en. Long sait bilong Nasinol Pak, lo i tok olsem, em i ken kamap long graun bilong gavman, tasol ino inap long kamapim wanpela Nasinol Pak long graun bilong ol as ples o ol wanwan man. Olsem na, dispela 23 Nasinol Pak i stap insait long PNG, ol i stap long graun bilong gavman tasol na i no bikipela hap graun tu.

Tasol, lo bilong Nasinol Pak i tok olsem, sapos ol man i laik givim wanpela hap graun long gavman long kamapim Nasinol Pak o sapos gavman i laik baim wanpela hap graun bilong kamapim Nasinol Pak, em i orait. Taim gavman i makim wanpela hap olsem Nasinol Pak, lo i tok olsem Direkta bilong Nasinol Pak, wanpela wokman long gavman, em bai bosim dispela graun. Ol as ples i stap long dispela graun i no gat rait long tok

‘yumi bai mekim olsem olsem long graun bilong yumi.’ Em bai nogat. Em dispela Direkta bilong Nasinol Pak tasol bai toktok na mekim samting long dispela graun.

## **2. Wail Laip Menesmen Eria I Wanem Samting?**

Long sampela hap graun i gat ol kain diwai o kapul o muruk o pisin o kain samting olsem i laik pinis olgeta. Taim wanpela kain samting i pinis olgeta long dispela graun, em bai hat long kisim bek ken. I no olsem ol samting masin i mekim, olsem redio o pot plet samting na taim em i bruk, em bai masin i ken wokim narapela. Taim wanpela kain diwai o abus i pinis olgeta, olsem wanem bai yumi wokim nupela na saplaim long bus? Em bai nogat.

Olsem na, gavman i makim sampela hap graun olsem Wail Laip Menesmen Eria. (Em i stap long Lo bilong Lukautim ol Abus (Sapta namba 154 bilong 1976)). Dispela tok i minim olsem, gavman bai wokbung wantaim ol as ples na tambuim ol as ples long ronim na kilim ol dispela samting i laik pinis. Olsem eksampel: sapos namba bilong wanpela kain kapul i no bikpela long wanpela hap na em i laik pinis olgeta, gavman i ken makim dispela hap olsem Wail Lai Menesmen Eria na wok wantaim ol as ples bilong dispela hap na tammubuim ol long ol i no ken ronim na kilim dispela kain kapul. Ol komiti i wokim wanpela Program bilong Lukautim Wail Laip na em bai tok olsem, ol papa graun i ken ronim na kilim ol kainkain kapul, tasol dispela wanpela kain kapul i sot, olsem na yupela i no ken kilim.

Ol as ples yet i ken kamapim wanpela Wail Laip Menesmen Eria na ol yet bai makim wanpela komiti. Na dispela komiti em bai sekim olsem ol man i bihainim lo bilong Wail Laip Menesmen Eria na ol i no bin kilim samting i gat tambu long kilim em. Insait long PNG, i gat 33pela Wail Laip Menesmen Eria. Gutpela bilong en, em i olsem: ol papagraun i wokbung wantaim gavman long kamapim Wail Laip Menesmen Eria na lukautim na ol ken kisim planti samting long bus bilong ol. Samting i tambu long kisim, em tasol ol i no inap long kisim. Dispela Nasinol Pak yumi toktok long en bipo, em i no wankain. Long Nasinol Pak, bai Gavman yet i bosim olgeta graun bilong ol as ples na ol as ples i no gat rait long kisim samting long graun bilong ol. Tasol long Wail Laip Menesmen Eria i no olsem. Ol papagraun yet i ken toktok na wokbung wantaim gavman na yusim graun bilong ol long kisim diwai, abus samting. Tasol nogut bilong en i olsem: nogat gutpela lukaut bilong gavman long strongim wok bilong ol papagraun long lukautim diwai o abus samting.

Wanpela eksampel: long Wes Niu Britan, i gat wanpela Wail Laip Menesmen Eria bilong tambuim ol man long kisim planti kiau bilong wel paol. Wanwan ples i gat man i stap long komiti bilong bosim Wail Laip Menesmen Eria. Na Komiti i wokim ol kainkain lo i tokaut long gutpela wei bilong kisim kiau bilong wel paol na wanem wei i tambu long kisim kiau bilong wel paol long en. Ol i skelim olsem i gat hevi long sait bilong kotim ol man husat i abrusim lo bilong Wail Laip Menesmen Eria. Ol man i save long dispela ol lo bilong kisim kiau bilong wel paol, tasol ol painim hat long stopim ol man long mekim nabaut nabaut na kisim kiau long laik bilong ol. Ol i tok olsem, ol mas wokim sampela awaines ken wantaim ol papagraun.

Narapela eksampel em i long Hailans, wanpela hap ol kolim *Kreta Mauten Wail Laip Menesmen Eria*. Ol i statim long 1986. Taim ol i kirapim, ol i makim graun bilong ol na givim nem bilong ol papa bilong klen husat bai i stap long Menesmen Komiti. Na tu ol



i wokim sampela lo bilong Wail Laip Menesmen Eria bilong ol. Ol i wokim 7pela lo olgeta na ol yet i mas sekim na luksave long ol yet olsem: ol i bihainim dispela lo o ol i save kalapim dispela lo. Nogat polis bilong ausait o wokman bilong gavman bai kam na kotim ol man i brukim dispela lo.

7pela lo bilong ol i olsem: wanpela i tok olsem wanwan ples i mas i gat man i stap insait long wok bilong Wail Laip Menesmen Eria; narapela i tok olsem ol bai makim dispela lain wokman long eleksen olgeta tripela tripela yia; narapela i tok olsem bai ol makim wanpela komiti bilong kamapim gras-ruts bisnis long hap bilong ol; na narapela i tok olsem ol i tambu olgeta long sutim kumul na bawa pisin (dakwaloba). 22pela klen olgeta i stap insait long dispela Wail Laip Menesmen Eria na ol i stap papa bilong graun bilong ol yet na ol save lukautim graun bilong ol yet. Tasol ol i painim hat long kotim ol wantok bilong ol, taim wantok i brukim lo bilong Wail Laip Menesmen Eria. Em tasol i givim hevi long wok bilong ol long lukautim kumul na bawa pisin long graun bilong ol.

### **3. Konsevesen Eria I Wanem Samting?**

Konsevesen Eria em i wanpela hap graun we ol papagraun i wok bung wantaim gavman long lukautim graun bilong ol wantaim olgeta bus na abus i stap antap long en. (Em i stap long Lo bilong Konsevesen Eria (Sapta namba 362 bilong 1978 na 1992.) Konsevesen Eria bai i gat Menesmen Komiti husat bai kamapim plen bilong lukautim graun na tambuim ol kampani long i kam insait na wokim main o katim diwai. Konsevesen eria i ken kamap long graun bilong ol femili o klen bilong ples, o graun bilong gavman, o long graun bilong ol wanwan man. Ol konsevesen eria i save stap ananit long lo na lukaut bilong gavman, olsem na em i hat long ol ausait man na kampani i kam insait nating na bagarapim ol hap we konsevesen eria i stap long en. Sapos ol ausait lain i kam insait na mekim nabaut long graun bilong ol as ples, i no ol papagraun tasol bai wok long rausim ol. Gavman bai helpim ol long kotim dispela ol lain i no gat tok orait na ol kam insait na bagarapim graun bilong ol as ples.

I gat wanpela Nasinol Konsevesen Komiti husat save helpim Minista bilong Envairamen na Konsevesen long kamapim na lukautim ol konsevesen eria. Longpela taim, Minista i no makim man bilong i stap long dispela Komiti na em tasol na nogat wanpela konsevesen eria i kamap long PNG inap long 2009. Tasol long 2009 namba wan konsevesen eria i kamap insait long PNG long YUS eria.

Tu, ol konsevesen eria i mas i gat wanpela Konsevesen Menesmen Komiti. Konsevesen Menesmen Komiti bai i gat sampela as ples man wantaim sampela ausait man husat Minista bilong Envairamen na Konsevesen i makim long i stap long en. Dispela Komiti, we ol as ples papagraun wantaim gavman i wok bung long en, bai kamapim Menesmen na Developman Plen. Long Menesmen na Developman Plen, Konsevesen Menesmen Komiti bai makim ol lo bilong Konsevesen Eria na wei bilong mekim ol man i bihainim dispela ol lo. Ol lo bai tambuim ol developman i save bagarapim bus na graun bilong ol as ples. I no olsem ol bai tambuim olgeta kain kain developman. Nogat. Ol lo bai tambuim ol kain developman i save bagarapim wara na pinisim diwai na bagarapim abus na gaden. Kain developman olsem main na logging, em bai tambu. Tasol planti ol developman, olsem wok fama, planim kofi, wokim tred stoa, i no gat tambu bilong en. Konsevesen Eria i no gavman o ausait oganaisesen bai bosim. Em ol as ples bai wok bung wantaim gavman na ol ausait lain long kamapim gutpela sindaun bilong bihain.

Olsem na, i luk olsem Konsevesen Eria em i winim tupela Wail Laip Menesmen Eria na Nasinol Pak. I gat moa Wail Laip Menesmen Eria insait long PNG na em i gutpela samting, tasol i no samting bilong lukautim graun na bus na olgeta samting i stap long en wantaim. Em bilong lukautim wanpela o tupela kain abus tasol (olsem kiau bilong wel paol long Wes Niu Briten o kumul na bawa pisin long Hailans). Konsevesen Eria na Nasinol Pak, em i samting bilong lukautim olgeta graun na bus na samting i stap long en. Tasol, taim ol wokim Nasinol Pak, gavman bai kisim graun bilong olgeta as ples. I no inap long kamapim Nasinol Pak we as ples i bosim graun long en. Olsem na, i no gutpela tumas. Long Konsevesen Eria tasol bai ol as ples i stap papagraun yet na lukautim olgeta bus na graun na abus samting. Ol bai wok bung wantaim gavman na ol ausait lain, tasol graun bai stap long han bilong ol papagraun. I no inap long gavman o sampela ausait lain i kam na kisim graun bilong ol. Em bai nogat.

I gat planti Nasinol Pak na Wail Laip Menesmen Eria insait long PNG, long wanem, tupela i no nupela samting. Tupela i samting i stap insait long lo bilong kantri longpela taim. Konsevesen Eria tasol em i nupela samting na i gat wanpela tasol insait long PNG. Em i stap long YUS eria. Olsem na, yupela i go pas long wok bilong Konsevesen Eria insait long Papua Niugini olgeta. Yupela kirapim na lukautim wanpela bikpela na nupela samting. I luk olsem Konsevesen Eria i winim Nasinol Pak na Wail Laip Menesmen Eria long sait bilong helpim ol manmeri na ol samting bilong bus wantaim. Tasol em i nupela samting na bai yumi skelim wok bilong yumi long YUS bihain. Em i kamap gutpela o nogat.

### **Skruim Tok Liklik: Rot Bilong Kamapim Wanpela Konsevesen Eria**

Long kamapim ol Konsevesen Eria i gat rot bilong bihainim. Dispela rot em i olsem: pastaim Minista bilong Envairamen na Konsevesen i mas raitim pas long Het bilong Kantri - Gavana Jeneral na askim em long kamapim wanpela Konsevesen eria. I no Minista tasol i ken raitim. Ol papa na mama bilong ples na ol grup nabaut, ol tu i ken raitim pas i go long Het bilong Kantri long kamapim wanpela Konsevesen Eria.

Bihain long dispela, Minista bilong Envairamen na Konsevesen bai givim tok orait i go long Nasinol Konsevesen Kaunsel na tu Minista bai tokim ol long wanem hap stret konsevesen eria bai kamap long en. Na tu em bai tok save long wanem as bilong kamapim konsevesen eria long dispela hap: em i gat gutpela naispela bus o sampela kain abus i no gat long arapela hap o kain samting olsem. Wantaim, em bai listim olgeta mamapapa bilong ples na ol papagraun na em bai stori liklik long wei ol save yusim graun bilong ol, olsem ol wok fama, o ol planim kofi, o ol panim gaden tasol.

Bihain long en, ol bai tokaut long tingting bilong kamapim Konsevesen Eria. Toksave bai i go aut long niuspepa na radio na tivi, na wanpela toksave pepa bai i stap long opis bilong Lokal Level Gavman na wanpela ken long opis bilong Provinsal Gavman. Taim toksave i go aut na ol manmeri bilong kantri i harim, ol i ken givim sampela stia tok long ol politisen. Bihain long 90pela de, Minista bilong Envairamen na Konsevensen bai lukim ol stia tok na givim tok orait bilong en long Nasinol Eksekiutiv Kaunsel na ol yet bai givim las tok orait long Konsevesen Eria bai i kamap.

Bihain long ol i tok orait, gavman bai tokaut long nupela Konsevesen Eria na Minista bai rejestaim Konsevensen Eria long Buk bilong ol Konsevensen Eria. Bihain long en, Nasinol Konsevesen Kausel bai makim wanpela Menesmen Komiti i gat ol as

ples lain wantaim sampela lain bilong Nasinol na Provinsol na Lokal Level Gavman i stap long en. Menesmen Komitei bai kamapim wanpela Menesmen na Developman Plen i tokaut long wanem samting i tambu long mekim insait long Konsevesen Eria na olsem wanem bai ol kotim ol man i no bihainim dispela lo. Tu em bai i gat sampela tingting bilong ol wei bilong developim dispela hap we i no inap bagarapim ol bus na graun na abus long en.

Nau, Minista bai tok orait long Menesmen Plen na ol lo bilong Konsevesen Eria. Sapos wanpela man i kalapim lo bilong Konsevesen Eria, em bai baim long 500 kina. Taim ol wokim Menesmen Plen pinis, i no inap long wanpela man i senisim. Minista i mas tok orait o ol mas bihainim wei bilong senisim Menesmen Plen na ol man i ken senisim.

Olsem na, Menesmen Plen i stopim planti developman long kamap. Ol as ples i no ken singautim kampani i kam na developim graun bilong ol insait long Konsevesen Eria. Sapos ol i mekim olsem, ol bai baim 40,000 kina fain. Tu, gavman i gat rait long developim dispela graun i stap insait long Konsevesen Eria bilong helpim ol man, na papagraun i no inap tok nogat.

Ol papagraun i gat rait insait long Konsevesen Eria olsem:

- 1) Rait bilong askim gavman long kamapim Konsevesen Eria na givim sampela stia tok long gavman taim ol toktok long kamapim konsevesen eria;
- 2) Rait long i gat sampela man i kisim maus bilong ol na i stap long Konsevesen Eria Menesmen Komitei;
- 3) Rait long tok nogat long sampela developman i kam insait na i no wanbel wantaim ol lo bilong Konsevesen Eria;
- 4) Rait long kamap wokman bilong Konsevesen Eria.



## **Sapta 5 – Nupela Lo Bilong Banisim Ol Hap Bus Bilong Papua Niugini**

Long Sapta 4 yumi lukim ol kainkain rot i stap bilong ol papagraun na gavman i banisim na lukatutim ol hap graun insait long Papua Niugini. Tasol, i gat sampela nupela tingting na wei bilong tambuim ol hap graun i kamap nau tasol.

### **1. Kontrak Bilong Klen o Femili I Tambuim Na Lukautim Hap Bus**

Konsevesen Kontrak i wanpela nupela samting we ol papagraun yet bai tambuim ol yet long yusim hap graun bilong ol long en. Sapos ol papagraun i bihainim dispela rot bilong Konsevesen Kontrak, gavman i no save wokbung wantaim ol papagraun, em i samting bilong ol papagraun tasol. Ol klen yet bai tambuim graun na bus bilong ol na bai ol yet i pasim tok long tambuim wanem kain samting long dispela bus bilong ol. Olsem, ol i ken tambuim ol man long ronim abus o han, o ol i ken tambuim ol man long katim diwai, o ol i ken tambuim ol long kisim ausait kampani i kam insait na katim ol diwai, o ol i ken tambuim dispela olgeta samting o narapela samting tu.

Wanpela oganaisesen, ol kolim Bismak-Ramu, i kamapim dispela Konsevesen Kontrak na ol i wokim awaines wantaim wanpela lain long Madang. Ol dispela lain i kisim planti tok save na skul long dispela samting na ol i sainim Konsevesen Kontrak. Narapela lain tu i lukim ol lain i go pas long sainim kontrak na ol tu i go na sainim narapela Konsevesen Kontrak bilong ol yet.

Konsevesen kontrak bilong ol, ol yet i kamapim sampela tingting na wanbel na pasim tok na sainim. Taim ol i sainim, em i kamap wanpela lo bilong ples bilong ol. Kontrak ol yet i kamapim i tok olsem: ol i makim bikpela hap graun bilong ol, olsem 100 hekta, na tok olsem, long dispela hap ol ausait lain olsem loging kampani i no ken kam insait na katim diwai na tu ol i no ken han o ronim ol abus o pisin long dispela hap ol i bin makim. Bihain, tripela klen i sainim dispela kontrak i laik senisim toktok i stap insait, ol i ken senisim. Tasol sapos wanpela klen i kalapim toktok i stap insait long dispela kontrak na ol sutim pisin long dispela hap graun o mekim kain samting olsem, tupela arapela klen i ken kotim ol.

Ol sainim pinis, orait ol i bungim ol man bilong arapela klen na tokaut long Konsevesen Kontrak bilong ol na nau ol arapela klen i save long en. Tu, ol i salim kopi long Lokal Leval Gavman na Provinsel Gavman bilong ol na Nasinol Gavman wantaim.

Gavman i no inap long helpim ol dispela lain long lukautim bus bilong ol. Long wanem, ol i no kamapim Konsevesen Eria o Nasinol Pak. Ol i kamapim Konsevesen Kontrak tasol na gavman i no inap kotim ol man husat i kalapim lo bilong kontrak. Ol yet i mas lukautim graun na ol lo bilong kontrak na sapos wantok bilong ol i kalapim lo

bilang kontrak, ol yet mas kotim wantok bilang ol yet. Em bai hat, olsem na, bai yumi lukim, ol i bihainim kontrak ol i bin sainim, o bai ol hat long kotim wantok wantok na wok long kalapim lo bilang kontrak planti?

### **Eksampel Kontrak**

**Dispela Kontrak** i kamap long namba ....(wanem dei).... dei bilang mun ....(wanem mun).... long yia ....(wanem yia).... na mipela, ol lain bilang ....(wanem klen).... klen long .....(wanem distrik)..... distrik long .....(wanem provins)..... provins bai bihainim olgeta toktok i stap insait long dispela Kontrak.

**Mipela**, ol .....(wanem klen)..... klen i tokaut olsem mipela yet i papa bilang olgeta hap graun i stap insait long dispela kontrak na i stap long dispela mep (piksa bilang graun).

Mipela i pasim tok olsem mipela ol pipol bai lukautim dispela hap graun na bus wantaim olgeta diwai, ol wara na olgeta abus i stap long en long nau i go inap long .....(wanem yia)... yia i pinis.

**Mipela i pasim tok olsem** ol lain bilang ....(wanem femili).... i ken -

- a) i go insait long dispela hap graun
- b) givim tok orait long ol arapela lain manmeri long igo insait long dispela hap graun wantaim ol komiti i lukautim dispela hap graun.

**Mipela i pasim tok**, olsem insait long ....(hamaspela).... yia mipela ino inap sainim wanpela Fores Menesmen Agrimen.

**Mipela i pasim tok**, olsem mipela **INO INAP TRU** givim tok orait long katim ol diwai insait long dispela hap graun insait long ....(hamaspela).... yia bihain. Maski mipela katim diwai aninit long Timba Atoriti o long ol arapela kain bisnis. Katim diwai em i tambu olgeta.

**Mipela i pasim tok**, olsem ol man **INO NAP TRU** i go insait long dispela hap na painim ol abus na pis wantaim gan, dog, trep, bonara, o huk na tu tambu long wokim ol han rot bilang painim abus insait long dispela hap graun.

**Mipela i pasim tok**, olsem mipela ino nap askim wanpela man o meri long kam insait long dispela hap graun na mekim wok mastamak. Na tu i tambu long kisim ol ausait lain i kam insait long makim graun o digim na skelim ol ston i stap long graun.

**Mipela i pasim tok**, olsem mipela bai wok bung wantaim long lukautim na kamapim gutpela sevis na developman long dispela hap graun bilang mipela. Na sapos igat sampela kain wok i kamap insait long dispela hap graun bihain long ..... pela yia i pinis, olgeta klen i sainim dispela kontrak i mas wanbel long dispela wok i kamap.

**Mipela i luksave olsem dispela Kontrak** em strongpela samting olsem lo na taim mipela i sainim dispela kontrak (putim nem i go long dispela pepa) mipela i no inap kalapim ol toktok i stap insait long dispela Kontrak. Sapos mipela sekim dispela toktok, ol i ken kotim mipela long Nasinol Kot.

**Dispela Kontrak** bai sanap i stap strong yet, maski wanpela bilong mipela husat i sainim kontrak en dai o kisim bikpela sik. Kontrak i no inap pinis inap long ..... yia i pinis.

Tripela man bai kisim maus bilong wanwan klen na sainim dispela kontrak. Olgeta man insait long klen i mas wanbel long dispela tripela man i makim ol na sainim kontrak.

**Mipela** i wanbel na sainim dispela Kontrak long ai bilong olgeta manmeri long ..... ples, long dei namba ....., long mun ....., 200..., na long ai bilong ol dispela lain :-

|              |                |                  |
|--------------|----------------|------------------|
| Nem<br>_____ | Adres<br>_____ | Han mak<br>_____ |
| Nem<br>_____ | Adres<br>_____ | Han mak<br>_____ |
| Nem<br>_____ | Adres<br>_____ | Han mak<br>_____ |
| Nem<br>_____ | Adres<br>_____ | Han mak<br>_____ |

Ol lain husat i sainim kontrak:

Nem bilong klen bilong ol:

|    |                                             |                           |
|----|---------------------------------------------|---------------------------|
|    | Nem bilong tripela man makim klen bilong ol | Hanmak bilong tripela man |
| 1. | _____                                       |                           |
| 2. | _____                                       |                           |
| 3. | _____                                       |                           |

## 2. Lokal Leval Gavman Lukautim Na Tambuim Hap Bus

Konsevesen Kontrak em i wanpela nupela rot long tambuim na lukautim bus insait long Papua Niugini. Narapela rot i stap long han bilong ol Lokal Leval Gavman. Lokal Leval Gavman i ken kamapim lo long lukautim na tambuim ol hap graun na bus wantaim ol ples masalai o ples holi na ol i ken givim fain long ol lain i kalapim dispela lo bilong ol. (Em i stap long seksen 44 bilong Oganik Lo bilong Provinsol Gavman bilong 1997.) Dispela em bai kamap konsevesen eria bilong Lokal Leval Gavman, i no konsevesen eria bilong Provins o Nasinol Gavman, em i narapela samting.

Long wanpela hap bilong Madang Provins, ol kolim Almami Lokal Leval Gavman Eria long Adelbet Maunten Renj, long 2000-2002, ol as ples i wok wantaim wanpela man i bin i stap het tisa bilong Skul bilong Lo bilong Papua Niugini na wanpela ausait oganaisesen, ol kolim Netsa Kansevesi. Ol i kamapim sampela tingting long wokim

lo insait long Lokal Leval Gavman yet. I no lo bilong Provins o Papua Niugini, em i lo bilong Almami Lokal Leval Gavman tasol. Dispela lo i tok olsem, ol man insait long Almami Lokal Leval Gavman husat i gat laik long tambuim sampela graun bilong ol na lukautim, ol i ken wokim agrimen wantaim Almami Lokal Leval Gavman. Taim planti man i wokim dispela agrimen, ol bai bungim dispela ol graun ol papagraun yet i makim na kamapim wanpela Lokal Leval Gavman Konsevesen Eria. (I no olsem Konsevesen Eria bilong YUS. Konsevesen Eria bilong YUS em i Nasinol Gavman yet i makim, i no Lokal Leval Gavman tasol.)

Long dispela Lokal Leval Gavman Konsevesen Eria ol papagraun yet bai i stap papa bilong ol graun bilong ol na ol yet bai kamapim tingting long wei bilong lukautim na menesemim. Ol bai wok bung wantaim Lokal Leval Gavman long lukautim graun na pasim ol man long ol no ken kalapim ol lo bilong konsevesen eria. Ol tu bai kamapim sampela tingting long developim dispela eria long wei we i no inap bagarapim ol bus na graun na abus na diwai.



## **Sapta 6 – Ol Lo Bilong Bosim Graun long Papua Niugini**

Yumi no save stap long yu yet yu yet. Yumi save stap wantaim arapela man na arapela lain. Na tu, yumi no save i stap long yu yet yu yet na bosim graun bilong yu. Yumi save stap wantaim planti arapela man na i gat lo na kastom bilong bosim graun. I no inap long ol arapela man i mekim nabaut nabaut long graun bilong yu. Em i kastom na lo bai pasim ol long mekim dispela. Olsem na, rait bilong yu long sait bilong graun i tokaut long olgeta samting yu ken mekim long graun bilong yu wanwan. Long graun bilong arapela man tasol yu nogat rait long mekim ol dispela samting. Rait i stap long han bilong papagraun. I gat 6pela kain rait bilong graun bilong yupela wanwan i stap:

1. Rait bilong yusim graun bilong yu yet long planim kaikai, kisim wara, na kain samting olsem
2. Rait bilong kisim pe o bekim sapos narapela man i yusim graun bilong yu
3. Rait bilong bosim samting i kamap long graun bilong yu
4. Rait bilong givim dispela graun long arapela man o pikinini bilong yu taim yu en dai
5. Arapela rait sapos yu en dai na nogat pikinini bilong yu
6. Rait bilong yusim graun olsem mak bilong yu

Nau graun biloong yupela i stap long han bilong yupela ananit long lukaut bilong kastom bilong yupela. Tasol i gat rot long mekim gavman i luksave long yupela na graun bilong yupela. Taim graun bilong yupela i stap ananit long luksave bilong gavman bai yupela kisim sampela nupela rait. Olsem: yupela i ken salim graun bilong yupela na kisim moni long en. Kain samting olsem. Nau graun bilong yupela ino i stap ananit long luksave bilong gavman, olsem na yupela i no gat rait long salim graun na kisim moni long en. Nau graun bilong yupela i stap ananit long luksave bilong kastom bilong yupela yet.

### **1. Lo Bilong Kamapim Ol Len Grup (Len Grup Inkoparesen Ek 1974)**

Dispela lo i wokim brij, we ol papagraun ananit long kastom i ken i go long en na kamap ananit long luksave bilong gavman tu wantaim. Long wanem as bai ol papagraun i gat laik long i stap ananit long luksave bilong gavman? Em i olsem: taim gavman i luksave long yu na graun bilong yu, yu bai kamap papagraun ples klia insait long buk bilong gavman. Taim yu holim graun long wei bilong ol tumbuna, bai i gat planti toktok long graun olgeta taim, long wanem, ol tumbuna i no wokim mep na stori bilong ol graun insait long wanpela buk na givim long ol man long ol i ken luksave long en. Nogat. Ol save stori long maus tasol, na hamas stori i lus na hamas man save paulim stori bilong



tumbuna bilong ol. Taim gavman i luksave long graun bilong yu, bai nem bilong yu wantaim graun bilong yu i go insait long buk bilong gavman na bai i stap ples klia.

Taim wanpela lain i wokim olgeta samting na i kamap Inkopareted Lokal Grup, ol bai i stap ples klia olsem papagraun long graun bilong ol. Ol yet tasol bai i gat rait long holim na lukautim graun bilong ol. Ol tu i ken kamap wanpela bisnis oganaisesen. Dispela lo i tok olsem: wanwan man bilong klen i gat rait long yusim graun tasol graun bai stap ananit long nem bilong klen olgeta. Klen em i as bilong Inkopareted Lokal Grup. Em tasol bai tokaut long ol memba bilong klen na generesen bilong ol na em tu bai wokim wanpela Mama Lo bilong Inkopareted Lokal Grup. Taim em i kam ananit long luksave bilong gavman, Inkopareted Lokal Grup i ken kisim maus bilong ol memba bilong klen na sainim kontrak wantaim arapela bisnis o gavman na em bai kamap papagraun long ai bilong ol arapela klen, na bisnis, na gavman.

Lo i tok olsem, wanwan klen i ken kamapim wanwan Inkopareted Lokal Grup. Olgeta memba bilong dispela Inkopareted Lokal Grup i mas stap insait long dispela klen, long generesen bilong en, na tu ol mas i stap klostu long graun bilong dispela klen na yusim dispela graun. Ol lain i lusim ples na i stap long taun (ol i memba bilong klen tasol ol i no i stap klostu long graun bilong klen) na tu ol meri i kam marit long nupela ples (ol i stap klostu long graun tasol i no memba bilong klen), ol i no inap stap insait long Inkopareted Lokal Grup. Ol man i stap memba bilong wanpela Inkopareted Lokal Grup i mas toktok i kam i go na pasim tok, taim i gat sampela bikpela samting bai kamap long graun bilong ol. Ol tu i mas toktok i kam i go wantaim ol arapela Inkopareted Lokal Grup husat graun bilong ol i stap klostu long graun bilong en.

Rot bilong kamapim wanpela nupela Inkopareted Lokal Grup em i no isi tumas. I gat wanpela buk Tony Powers i raitim (lukim nem bilong buk bilong en long pinis bilong dispela buk) i stori long wei bilong kamapim Inkopareted Lokal Grup na tu i tokaut long sampela gutpela na nogut bilong en. Sapos yu tingting long kamapim dispela kain grup, yu ken ridim dispela buk o toktok wantaim wanpela loya. Long kamapim dispela kain grup i gat eplikesen bilong en na yupela olgeta klen memba i mas stretim dispela pas taim na ol lain long gavman bai skelim pastaim.

Taim ol kampani o gavman opis i laik kamapim wok long wanpela hap graun – olsem logging o maining – ol bai painim isi moa yet long toktok wantaim wanpela Inkopareted Lokal Grup. Long wanem, dispela kain grup i gat list bilong memba bilong en, na graun bilong ol i stap ples klia ananit long luksave bilong gavman, na tu i gat ol lida bilong en i ken kisim maus bilong olgeta memba na toktok. Yu tingim: taim gavman o kampani i laik kamapim wok long wanpela hap graun na ol toktok long yusim dispela graun, husat lida bilong klen bai toktok? Bai arapela lain giaman na tok olsem ‘Em graun bilong mipela’ o nogat? Bai ol planti man giaman na tok olsem, ‘Mi tu mi wanpela memba bilong dispela klen.’ Em, taim gavman o kampani i laik kamapim sampela wok dispela ol pasin i kamap bikpela moa yet. Tasol, sapos graun i stap long han bilong wanpela Inkopareted Lokal Grup, em bai nogat dispela kain hevi i kamap. Em long dispela as na gavman na kampani bai amamas moa long wokbung wantaim Inkopareted Lokal Grup.

Na tu i gat arapela kain grup, i no Inkopareted Lokal Grup tasol. Wanpela, ol kolim Lanona Kampani (Kampani bilong ol papagraun). Narapela, em i Lanona Asosiesen (Grup bilong ol papagraun). Sapos yu laik save moa long dispela ol kainkain

grup, yu ken toktok wantaim loya o lukim sampela buk i stap long lista i stap long pinis bilong dispela buk.

## **2. Lo Bilong Stretim Ol Tok-pait Bilong Graun (Len Dispiut Setelmen Ek 1975)**

Sapos yupela i gat laik long kamapim wanpela Inkopareted Lokal Grup na makim graun bilong klen bilong yupela, yupela i save olsem em bai i gat planti toktok long graun bai kamap. Arapela klen bai tok olsem ‘I no graun bilong yupela, em graun bilong mipela’ na pait bai kirap nau. Gavman i wokim wanpela lo, ol i kolim Len Dispiut Setelmen Ek (Lo bilong stretim ol tok-pait bilong graun), em i kamapim rot bilong pinisim dispela ol kain pait na hevi.

Rot bilong stretim ol tok-pait bilong graun i olsem: Provinsol Len Dispiut Komiti (Komiti bilong Provins bilong stretim ol tok-pait long graun) bai makim wanpela man i gat bikpela save long kastom na em bai harim toktok bilong tupela klen i pait wantaim narapela narapela. Bihain, em i ken tokaut long rot bilong pinisim tok-pait, husat i win na husat i lus. Sapos tupela klen i pait i wanbel long toktok bilong dispela man, hevi em i pinis. Sapos ol i no wanbel, hevi bai i go long han bilong Lokal Len Kot. Megistret wantaim tupela saveman bai harim kot na bihain ol bai vot long husat i win na husat i lus. Sapos wanbel i no kamap yet, ol ken salim hevi i go long Len Kot bilong Provins. Taim dispela kot i toktok em i pinis. Maski ol man i no wanbel, ol i mas bihainim toktok bilong dispela kot.

## **3. Lo Bilong Rejistaim Ol Papagraun (Len Rejistresen Ek 1981 na Len Ek 1962)**

Bipo, gavman bilong Papua Niugini i ting olsem kastom bilong bosim graun insait long kantri i longlong. Ol i ting olsem dispela pasin we graun i stap long han bilong ol femili na klen, em i save pasim rot long developman i kam insait long Papua Niugini. Olsem na, ol i kamapim tupela lo rausim graun long han bilong ol klen na femili na givim i go long olgetal wanwan man. Em i minim olsem, graun bai i no inap stap ananit long nem bilong klen bilong yu o femili bilong yu, em bai i stap stret ananit long nem bilong yu. Arapela man i no inap yusim graun bilong yu na yu no inap yusim graun bilong arapela. Sapos wanpela wara i stap long graun bilong narapela man, em ken tok nogat long yu kisim wara long en. Maski em i wantok o kasin o brata bilong yu. Gavman i ting olsem, taim ol man i kisim graun long nem bilong em yet em yet, em bai lus tingting long ol femili na wantok bilong en na wokim bisnis tasol na kamapim developman.

Tasol, planti man i skelim olsem dispela kain lo bai kamapim planti bruk insait long ol femili na klen bilong Papua Niugini. Sapos gavman i rausim graun long han bilong femili na klen na givim i go long wanwan man, planti man bai lus tingting long wantok na femili bilong ol na tingting long ol yet ol yet. Dispela bai kamapim bruk. Len Ek bilong 1962, em tu i tubel long dispela. Long wanpela hap em i tok olsem, ol grau i stap long han bilong ol gras-ruts, em ol arapela kampani na moni man na gavman i no ken givim moni na kisim dispela graun. Ol graun bilong gras-ruts mas i bihain wei bilong kastom bilong ol, na baim salim graun long moni i no kastom bilong Papua Niugini. Tasol narapela hap bilong dispela lo i tok olsem gavman i ken givim moni na baim o yusim sotpela taim ol graun bilong gras-ruts. Dispela tubel lo i no karim planti kaikai.

Narapela lo i toktok long rejestaim ol graun bilong ol as ples man. Long taim bilong tumbuna ol i no raitim wanpela buk na wokim mep na tokaut ples klia long graun bilong wanwan femili na klen i stap we. Ol i save toktok long maus tasol. Dispela tok 'rejistaim graun' i minim olsem wanpela femili o klen i makim graun bilong ol na putim long pepa na pepa i stap long han bilong gavman na bihain nogat wanpela man i ken tok nogat long toktok i stap long dispela pepa. Taim wanpela femili o klen i laik rejestaim graun bilong ol, olgeta man long ples i mas bung na lukim mep we ol makim graun long en. Olgeta man long ples i mas wanbel long dispela mep. Sapos narapela lain i tok olsem hap graun i stap insait long mep em i bilong ol, em bai ol no inap rejestaim graun bilong ol. Olgeta man i mas wanbel. Taim olgeta man i wanbel, dispela mep wantaim stori bilong graun na generesen bilong femili o klen, olgeta bai i go long opis bilong gavman. Na sapos bihain i gat hevi long dispela hap graun, olsem tok pait i kamap wantaim narapela klen, ol lain i rejestaim graun pinis, ol i ken soim dispela pepa na ol bai winim kot. Dispela graun bai i stap long han bilong dispela femili o klen ananit long kastom na tu ananit long luksave bilong gavman.

Dispela kain kain rot bilong gavman i luksave long ol graun bilong wanwan femili o klen insait long Papua Niugini i wanpela wei we ol klen o femili i ken statim bisnis bilong ol. Tasol i no gat planti femili o klen i bihainim dispela rot. Planti i no gat luksave bilong gavman. Olsem na, yumi no save, bai dispela kainkain rot i karim gutpela kaikai bihain o nogat.



## Sapta 7 – Sampela Stia Tok I Go Long Ol Papagraun

Lo bilong Papua Niugini i save lukautim ol rait bilong papagraun gut tru. Tasol nau em i wanpela kain taim we planti senis i wok long kam insait long kantri. Sampela senis i kam – olsem main na loging – i wok long bagarapim graun bilong ol papagraun. Tasol sampela, olsem ol ausait grup i save helpim ol papagraun long lukautim graun bilong ol, sampela kain olsem i save helpim papagraun wantaim nupela tingting lo wei bilong lukautim na holim pas graun bilong ol na tu kamapim sampela developman wantaim. Taim ol papagraun i ken wok bung wantaim ol ausait oganaisesen na ol gavman egeni long bosim graun bilong ol na lukautim bus na diwai na abus i stap long en na tu kamapim sampela gutpela rot long developim ples na kisim moni, em i gutpela moa yet.

Yu ritim stori bilong kainkain rot bilong lukautim na tambuim graun na bus insait long dispela buk. Mi yet skelim olsem Kontrak bilong Tambuim Graun wantaim Konsevesen Eria, tupela i strongpela moa yet long helpim ol gras-ruts wok bung wantaim gavman long lukautim graun na bus bilong ol. Arapela samting, olsem Wail Laip Menesmen Eria na Nasinol Pak, i gutpela, tasol Wail Laip Menesmen Eria i no luksave long olgeta abus na diwai long bus, em save lukluk long wanpela o tupela tasol. Na long kamapim Nasinol Pak, ol papagraun i mas givim graun bilong ol long gavman pastaim.

Kontrak bilong Tambuim Graun em i gutpela, long wanem, graun bai i stap long han bilong ol papagraun na tu ol papagraun i ken kamapim ol lo na wei bilong lukautim dispela graun. Konsevesen Eria tu gutpela samting, long wanem, graun i stap long han bilong ol papagraun na Nasinol Gavman bai strongim ol papagraun na wokbung wantaim ol long lukautim graun bilong ol. Lokal Leval Gavman Konsevesen Eria i gutpela, long wanem, em i samting bilong Lokal Leval Gavman na ol man i ken wokim hariap. I no gat hevi long wetim ol politisen long Nasinol Gavman long Mosbi long mekim samting. Tasol, Lokal Leval Gavman Eria i stap ananit long Lokal Leval Gavman tasol. Em minim olsem Nasinol Gavman i no stap insait na strongim ol papagraun.

Wanpela hevi i save kamap long ol wok bilong Konsevesen, ol luksave long en long Hailans, long Kreta Maunten Wail Laip Menesmen Eria (stori bilong en i stap long sapta 4). Em i olsem: ol ausait grup husat save wok bung wantaim ol papagraun long lukautim Wail Laip Menesmen Eria, ol yet save kamapim planti tingting na pasim tok long mekim samting, na ol papagraun i no save wokbung tumas wantaim ol na givim tingting bilong ol long dispela ausait grup. Olsem na, ol papagraun i mas strong yet na tokaut long tingting bilong ol. Na ol ausait grup na gavman grup, ol mas wokim awaines wantaim ol papagraun na serim o givim tingting i go i kam. Ol mas bung wantaim na pasim tok. I no samting bilong wanpela man o tupela man i pasim tok – olgeta papagraun wantaim gavman wokman wantaim ol ausait grup, olgeta i mas bung na wanbel na mekim samting. Em i as bilong dispela tok ‘wokbung.’ Gutpela moa yet long planti papagraun i stap long Menesmen Komite na liklik lain bilong gavman na ausait grup i stap long en. Wok bilong gavman na ausait lain, em i bilong givim stia tok long ol papagraun na

wokim koneksen wantaim ol ausait lain. Em ol papagraun i mas kamap papa tru tru bilong Menesmen Komiti.

Insait long YUS Eria yet, toktok long Konsevesen Eria i karim sampela kaikai pinis. Ol papagraun i tambuim sampela graun, olsem ol i no inap go insait long dispela hap na ronim ol abus o kisim diwai o rop samting. Ol i lukim olsem graun bilong ol bikpela na inap long sampela hap i stap nating na ol abus i stap long en i ken kamap planti. Ol i tingim ol lain pikininni tumbuna ol bai kamap bihain na bai ol i gat planti abus samting bihain. Long Wan Mun, 2009 gavman i luksave long dispela ol tambu graun na makim em olsem YUS Konsevesen Eria.

Mi raitim dispela buk long helpim yupela, ol papagraun bilong YUS, wantaim sampela tingting long sait bilong lo bilong graun long PNG. Nau yupela i kamapim wanpela Konsevesen Eria na sampela bai ting olsem olgeta wok bilong en i pinis. Tasol, yu ridim dispela buk na save olsem kain kain rot bilong strongim Konsevesen Eria na kamapim ol nupela grup ananit long lo na luksave bilong gavman i stap. Na tu, yupela i gat wok long kamapim Plen bilong Menesim na Dvelopim YUS Konsevesen Eria. Long dispela bai yupela papagraun wok wantaim gavman na ol Tri Kengeru Konsevesen Progem, tasol nau yupela kisim sampela stia tok pinis long dispela buk.

Hau bai yupela i lukautim graun bilong yupela? Wanem kain developman bai yupela kamapim long ples? Olsem wanem bai yupela wok bung wantaim ol ausait kampani o gavman long kamapim sampela developman? Husat bai kotim ol man i brukim lo bilong Konsevesen Eria? I gat planti ol askim yupela i no bekim yet. Tasol dispela buk em bai helpim yupela wantaim sampela tingting long bekim ol dispela kain askim.

Tasol yupela i no ken lus tingting. Graun na bus i no samting bilong developman tasol na kisim moni tasol. Graun na bus bilong yupela i ron long blut bilong yupela. Sapos graun na bus bilong yupela i bagarap long main o loging o arapela rot, bai femili bilong yu bagarap, klen bilong yu bagarap, tumbuna bilong bihain bai bagarap, sindaun bilong yu bai bagarap olgeta. Olsem na, yupela laik kamapim sampela samting long graun bilong yupela, tingting gut pastaim. Singautim wanpela loya i gat save long lo bilong graun na bus na em i ken klaim toktok bilong lo na givim sampela stia tok long yupela wantaim. Graun i no samting nating. Graun em i laip, olsem na lukautim graun bilong yu gut na bai laip bilong yu i stap gut wantaim.



## **Sampela Buk Samting Bilong Givim Tingting Long Ol Papagraun**

(\*i makim ol buk samting i gutpela moa long yu ritim)

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Wei bilong kontaktim ol lain i gat save long lo bilong bus na graun i stap daun bilo.

*Sapos sampela lain i askim yu long mekim sampela samting long graun bilong yu, o sainim wanpela kontrak samting, yu mas toktok wantaim wanpela bilong dispela ol lain. Ol bai kliaim toktok bilong lo na givim sampela stia tok long yu:*

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# **A Landowner's Handbook to Relevant Environmental Law in Papua New Guinea**

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This handbook was written for the Communities of the YUS Local Level Government, Kabwum District, Morobe Province, Papua New Guinea and the Tree Kangaroo Conservation Program.

To see the Tok Pisin version of this handbook please turn to page 3.  
**Sapos yu laik ritim dispela buk long Tok Pisin, yu ken i go long pes 3.**



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## Preface

Although history has not always been kind to indigenous people and their traditions, Papua New Guinea's colonial history has left an important remnant in leaving most customary law in place. In turn, the new government of Papua New Guinea saw fit to continue this important trend in its constitution. The new nation additionally proclaimed a strong environmental statement as well, attempting to protect its traditional cultures and the lands that they inhabit.

“WE, THE PEOPLE OF PAPUA NEW GUINEA ... pay homage to the memory of our ancestors – the source of our strength and origin of our combined heritage - acknowledge the worthy customs and traditional wisdoms of our people – which have come down to us from generation to generation ...”

“WE HEREBY PROCLAIM the following aims as our National Goals, and direct all persons and bodies, corporate and unincorporated, to be guided by these our declared Directives in pursuing and achieving our aims:

4. Natural Resources and environment:

***We declare our fourth goal to be for Papua New Guinea's natural resources and environment to be conserved and used for the collective benefit of us all, and be replenished for the benefit of future generations.***

WE ACCORDINGLY CALL FOR –

- 1) Wise use to be made of our natural resources and the environment in and on the land or seabed, in the sea, under the land, and in the air, in the interests of our development and in the trust for future generations; and
- 2) The conservation and replenishment, for the benefit of ourselves and posterity, of the environment and its sacred, scenic, and historical qualities; and
- 3) All necessary steps to be taken to give adequate protection to our valued birds, animals, fish, insects, plants and trees.”

“5. Papua New Guinean ways.

***We declare our fifth goal to be to achieve development primarily through the use of Papua New Guinean forms of social, political and economic organization.***

WE ACCORDINGLY CALL FOR –

- 2) Particular emphasis in our economic development to be placed on small-scale artisan, service and business activity;”

“WE HEREBY DECLARE that all persons in our country have the basic obligations to themselves and their descendents, to each other, and to the Nation: - ...

- d) To protect Papua New Guinea and to safeguard the national wealth, resources and environment in the interests not only of the present generation but also of future generations; ”

### **Constitution of the Independent State of Papua New Guinea (1975)**

The message is clear. You, as clan landowners, are legally protected to carry out your life and activities on your lands under your customary laws and you are encouraged to do so by the Central Government. But you also have a powerful responsibility to conserve and use wisely those lands, their natural resources and the environment and to protect all of the species of plants and animals on those lands. This is a great responsibility because it is not only for yourselves and your clans but “in trust for future generations”. Further it calls for socially appropriate forms of development that will benefit you as landowners but will use the natural resources wisely and allow them to replenish for future generations. This book is a guide to help you take the first step in that direction.



## Chapter I - Introduction

As clan landowners in Papua New Guinea, you are unique in the world. In most countries the native indigenous peoples have been dispossessed of the lands they once lived on. In many countries, rural people do not have enough land for growing their food or for living on. Often, they can only own a small amount of land by law with the government owning most of the land. But in Papua New Guinea 97% of the lands are owned by clans. Not only do your lands give food for you and your families, your lands are part of your history and culture which has evolved over thousands of years. For many landowners, attachment to the lands, rivers, and mountains has been so strong that many rural Papua New Guineans would say that “land is life”.

Your ancestors managed their lands for thousands of years under customary law. Customary Laws are an important part of Papua New Guinea Common Law. Customary Laws are the traditional rules your ancestors developed to control village life and govern the way you deal with disputes. As landowners you are fortunate that it continues to be part of the current legal system guaranteed by the Constitution and is used in all Courts of Papua New Guinea allowing you to maintain and continue your traditions and values, especially regarding land. Your ancestors recognized the need to protect the environment by declaring certain areas as “ples masalai” (sacred sites) and had traditional laws to protect certain faunal species.

But new times have come. For example, traditional views have been partially supplanted by more recent religious views; and modern technology and commercialism have altered traditional views of natural resources which complicates how land use will proceed in the future of Papua New Guinea. Now there are additional pressures to convert customary land ownership to private land ownership or to sell lands or the resources on them for economic gains. This means that you as landowners will be under more pressure to seek potential opportunities from the lands you own. This book has been written to give you some tools to make the choices on land use that will help you to maintain your

traditional attachment to the land and environment while still maintaining ownership and management of your lands and benefits from them into future generations.

You are the connection between your ancestors and your children and your children's children. The choices you make today will determine how the future generations will live their lives. Your national constitution states “natural resources and environment (are) to be conserved and used for the collective benefit of us all, and to be replenished for the benefit of future generations” and “to achieve development primarily through the use of Papua New Guinea forms of social, political and economic organization”. Your land use choices can make this statement reality.

While the sanctity of private clan land ownership is the cardinal principle in Papua New Guinea, there is still the state responsibility to balance public and private interests in land and resource management. However, despite the fact that Papua New Guinea land and resource management laws have been inherited from Australia where the role of the state is well established, in Papua New Guinea, the state's role has not been effective in helping clans to protect their lands. With the changing social and economical environment, it will be more important for clan landowners to work with the state for the mutual goals of protecting both natural resources and landowner rights. This idea, called co-management, is increasing in interest in a number of countries in recent years. Co-management attempts to balance the interests of local people and landowners while providing a stronger legal basis through government involvement.

This book will describe landownership laws, laws concerned with creating protected areas, some innovative laws for protecting land which have been recently tried as well as some laws concerning land tenure. Since understanding law is complicated, I have included references for more reading and contact information of some organizations who know about the laws of Papua New Guinea and who may be of help to you. This book can only be a start for you. Any decisions you make should be well thought out and you should consult trusted knowledgeable people before making any important decisions.





## **Chapter II - Land Ownership and Biodiversity**

People get most things they need from nature and nature has been a large part of the peoples and communities of Papua New Guinea. When we save the biodiversity of nature we are saving life. The word “biodiversity” gained importance to the scientific world in the 1980s and it has since become a key word used by scientists to describe the many forms of plants and animals collectively. It has taken on a special important meaning in reference to tropical rainforests as climax vegetation rather than as a vegetation type which has been shaped and maintained by human influence. Papua New Guinea has become (declared by scientists) one of the 34 “biodiversity hotspots” in the world. But recognition of high biodiversity is also known by local people living in the rainforest and often their activities may increase the diversity of living forms so biodiversity is not exclusively a product of a pristine natural process but may be enhanced by human activities.

People in the YUS area appreciate biodiversity both for its usefulness and aesthetic values. Although you, as landowners in the YUS region may not have heard of the word “biodiversity” or even talked about it amongst yourselves, you live on and own land in what international scientists consider a “biodiversity hotspot” with unique ecosystems and species, some of which are found only in the Huon Peninsula; that is they are endemic to where you live. Because the numerous species of plants and animals are commonly known to you, you may not know how important some outside people feel about your forests. Because these species are seen by foreigners as important treasures of Papua New Guinea, many scientists are interested to help you to protect your lands, species, ecosystems and natural resources in general.

As YUS landowners, your culture strongly demonstrates the significance of biodiversity to your daily life, through the use you make of your lands and many of the species living on it, both for utilitarian reasons as well as aesthetic ones. This was shown through a study of local Nokopo experts by a foreign anthropologist in 1987. One reason that the clans of the YUS area and adjacent areas have been receptive to the Tree

Kangaroo Conservation Program, (TKCP) is the shared interest in the biodiversity of your lands and their inherent value to both you as landowners and to the outside scientific community. For example, the way the Yupna culture classifies its ecosystem is very similar to how scientists would classify your forests. So, the three forest ecological zones used by YUS landowners of 1) tale (“hot land” up to 1400 meters), 2) koron (“cold land” from 1800-2100 meters) and 3) kapop (“wilderness” above 2600 meters) corresponds to the scientific classification of 1) Lowland Hill Forest (tale), 2) Lower Montane Forest (koron) and Upper Montane Forest and Grasslands (kapop).

The biodiversity knowledge of YUS landowners is also demonstrated by the fact that the experts amongst you, as demonstrated by the study of Nokopo landowners, recognize 800 local species inhabiting your lands. These include over 500 species of plants that are used for many purposes including fuel, construction, medicine, and decoration. Additionally, YUS landowners have a long tradition as excellent gardeners which includes growing over 25 agricultural species with over 250 varieties, some of which you have created through selective breeding. Thus despite being primarily farmers, YUS area landowners are well versed in the biodiversity of their lands.



## Chapter III - Types of Land Ownership

### 1. **Government Land** (public)

Public land is owned for the main purpose of serving the public good. While the government often establishes a long term use or protection of the lands, how it is conserved, protected or used may fluctuate with the politics of the government in power. Usually, where a long term precedent has been set and a strong legal mechanism such as a National Park has been created, the protection of the land is strong in perpetuity. In other cases where the protected restrictions are less, protection of the land and its natural resources may fluctuate with the philosophy of the political party in power or with the general politics of the period.

### 2. **Clan Land** (communal or “customary”)

Under Customary Law, your lands and those of most of Papua New Guinea are owned in common by extended families or clans. Traditionally everyone in your clan has the common right to use the land for growing gardens, for firewood, for hunting and for house building materials. Customary law provides an incentive through which people can cooperate with their relatives in the production and distribution of goods. The land always remains common property even though anything built or developed on the land becomes an individual's property which can be passed on to other individuals. This means that by custom, no individual can sell customary land without the agreement of the entire clan; and only the designated clan leader(s) can responsibly effect such a deal. If custom does not go against the constitution, it will be adopted.

Customary landowners do not have some opportunities to use their lands as do private landowners such as for security in obtaining loans. However, if customary land is converted to freehold or private property, the traditional communal structure will breakdown and destroy what is currently an important part of local tradition. One advantage of using customary law to settle disputes is that it uses consensus to come up with a solution which is agreeable to all parties rather than having a winner and loser. One advantage to communal ownership is that because there are so many common owners, it is very hard to sell or dispense to anyone else. This is what has kept it within

the clans for thousands of years. This is also unique, unusual in the world and a valuable asset for you as landowners.

**3. Private or Freehold Land** (also termed “alienated” land in Papua New Guinea which refers to the alienation of people’s resources)

Private lands can be owned by any individual or individuals who may or may not be related. It invests all ownership rights in a single person or group of persons. Usually private landownership begins with the person who buys the land. Thus the owner has neither cultural history, nor philosophical history with the land and is more apt to change, log, mine or sell the land when in need of cash. This is because land is often purchased as a cash investment and the new owner may attempt to turn his investment into cash at any time and without any philosophical land ethic. Private property separates the needs of labourers from their labour. With this detachment of labour from ownership, exploitation of the land is more likely.

If owned by more than one person, selling of the land may be more difficult but it still differs from communally owned lands in that there is not a long traditional history of land ownership and the accompanying land ethic. One distinction of private landownership is that private lands can be used as security for loans. This should be used cautiously since if the landowner defaults on his loan he may lose the lands to whoever has made the loan to him.

**4. Open-access Land** - These are lands in which there are neither property rights nor rules limiting access which have been defined.

**Customs and Law**

The main difference in customary clan rules and formal laws are that customs are not written down. So any customary rules which do not admit exceptions could easily become accepted as laws once they are written down. But customs are often more complex and their rules are guided by broader principles which may include exceptions and are not easily adapted to mechanical applications as simple laws may be.

Freehold land ownership primarily regulates relations between people without strong commitments to each other who are essentially strangers. While there may be some moral codes involved, the transactions are essentially commercial with minimal obligations to each other. There is a major freedom involved since responsibility is only to oneself. With customary land dealings, a kin network binds people by a web of mutual

obligations. The freedom is limited by the person's mutual responsibility to relatives. The concept of absolute, unitary ownership, which is at the core of freehold ownership, is property law for stranger relations whereas customary land law is property law for kin relations. Customary law can be thought of as enhancing coordination and cooperation among kin. Freehold ownership, in contrast enables strangers to transfer property rights in a one shot transaction. Custom is a law of long term relationships while freehold is a law of market exchange.



## **Chapter IV - Main Laws for Protected Areas**

There are many environmental laws in Papua New Guinea which deal with the conservation of natural resources or the lands themselves, land use and ownership, regulating the use of resources, and general protection of the environment. While all are important, only the conservation of land, land use and ownership are discussed in this book because they are most important for landowners to help them make the choices for their lands. This chapter discusses the main laws written specifically for creating protected areas: National Parks, Wildlife Management Areas and Conservation Areas.

### **1. National Parks and Related Designations** (Sanctuaries, Provincial Parks, Nature Reserves, Historic Sites, Wildlife Sanctuaries and Scenic Reserves)

National Parks and other designations under the National Parks Act (Chapter 157) (1982) provide the most security for natural resource protection. The Act allows land to be dedicated for a wide range of uses: biological, topographical, geological, historical, scientific and social. The conventional approach to conservation is used where an area of land is set aside from all extractive activities. There are currently (March 2009) a total of 23 National Parks in PNG, these are established on State lands which cover less than 3% of all Papua New Guinea lands. Thus the Act only applies to conserving government land. However, the Act contains provisions for the government to lease, accept gifts of land for conservation purposes, or buy land. This short Act which commits the reserve lands to the “care, control and management” of the Director of National Parks gives the Director power to control, manage and develop the land for that which it is reserved. Generally, it requires that landowners cede their rights to the National Government before a National Park can be established. This then means that the landowners would have no legally enforceable means for management or participation in discussion regarding how natural resources within the reserve are used.

### **2. Wildlife Management Areas (WMA)**

In 1976 in Papua New Guinea the Fauna (Protection and Control) Act (Chapter No. 154) (1976) was passed to formalize traditional conservation rules used in creating

Wildlife Management Areas (WMAs). The Fauna Act is mainly concerned with special protection of specific species threatened with local or otherwise extinction. This law thus provides for establishing three similar areas: 1) Wildlife Management Areas, 2) Sanctuaries and 3) Conservation Areas. WMAs allow designated species to be utilized by traditional landowners under an approved management and cropping program. Thus, Wildlife Management Areas are more participatory in their approach and necessitate consultation with local landowners before being established by the Minister of Environment and Conservation. A committee is established and wildlife rules are made by the Minister after consultation with landowners.

Although the Minister creates the WMA and the Managing Committee in consultation with landowners and Local Level Government, such areas maintain a great deal of control and use by landowners but deal only with wildlife protection. A study by A. Johnson of 12 WMAs indicates that they could be more effective especially as a co-managed protected area with a stronger government hand. WMAs can be created by landowners designating their lands to be incorporated under this Act with rules being agreed upon by the Department of Environment and Conservation (DEC) which are published in the National Government Gazette. Enforcement of the rules is carried out by a committee appointed by the landowners. By 2009 there are 33 WMAs. The term Wildlife Management Area which refers to a protected area model is reflected in the Tok Pisin term “waillaip” which has come to mean “conservation” in some regions. The reason that WMAs have been somewhat acceptable is because they incorporate use of the resources.

Poikili WMA, as an example of an early declared WMA, on the Island Province of West New Britain, was one of the first Gazetted in 1975 due to landowner concern for the sustainable harvest of megapode or wildfowl eggs. The committee of this WMA is made up of a representative from each of the 9 landowner villages. Rules include mainly stipulations on collecting megapode eggs and restrictions around their nests. These rules can be changed at any time by contacting the DEC. A study by University of Papua New Guinea students showed that most landowners were aware of the rules and there was some enforcement but it was not effective and there were many problems causing an increase in exploitation of the eggs and a change in megapode behaviour making harvesting harder. While most landowners were happy with the agreement, the main motivation being income generation, those farther from the nesting sites felt the protected areas were too large and advocated logging and other development in the area. More education awareness was suggested and there has been some discussion of tourism to generate income.

The *Crater Mountain Wildlife Management Area* project was initiated in 1986 by consensus of a number of clan/landowners and was Gazetted in 1993 at three times its original size. The WMA law requires that landowners submit a legal boundary description, provide a list of clan leaders to be on the Management Committee and provide a list of rules to govern the use of natural resources. A committee was formed with clan representatives from all area villages who established 7 rules which they enforce. These included having representatives from each village, elections every 3 years, annual meetings with a Research and Conservation Foundation (RCF) [local Non-government Organization (NGO)] member present, appointment of a business committee to conduct small-scale business, a total ban on hunting of birds of paradise and bower birds and the RCF as its representative in dealing with outside agencies. The 22 clans involved retain ownership of their customary lands and each clan manages their lands independently. The Crater Mountain project combines tourism, craft production, research and conservation. A group of local, national, government and international people formed the national NGO, the Research and Conservation Foundation in 1986, which took the role of intermediary between the landowners and government authorities to help form the WMA.

Crater Mountain WMA has a long history making it valuable for other clan projects to learn from. One major problem has been that the landowners and villagers have not taken ownership of the project. The laws that have been established by the Management Committee have been good, but enforcement has been difficult due to the relatedness of the community people. Another problem is in maintaining good communication through more open meetings and more widespread postings.

### **3. Conservation Area (CA)**

The Conservation Areas Act (Chapter No. 362) (1978, 1992) has similar objectives to the National Parks Act but is more comprehensive. A Conservation Area applies to land under any form of ownership including customary, government and private lands and involves participation and consent of landowners. It provides for the declaration of an area as a Conservation Area with its own Management Committee which has the responsibility to prepare a management plan for the designated area which restricts any development in the area except in accordance with the management plan. It is similar to the National Parks Act which provides for establishing a five member National Conservation Council (NCC) to advise and assist the Minister in administering the Act's provisions on identifying and managing protected areas. They should have



technical or special knowledge for their representation on the Council and one must be nominated by the Local Level Government Association of Papua New Guinea. The Council's duties are to:

- 1) Decide the criteria to be met by a CA
- 2) Advise the Minister to recommend a site as a CA
- 3) Help the Minister write the rules and regulations for Case
- 4) Advise the Minister on administration and control of Case
- 5) Consider development proposals affecting Case
- 6) Inform the public and generate interest in Conservation Areas.

The CA can provide legal protection against unplanned development and maintain long-term sustainability of natural resources while supporting meaningful social, cultural and religious institutions and preserving biodiversity.

Although the Act was enacted in 1978, it has only recently been successfully implemented with the establishment of the YUS Conservation Area (2009). This has been partly due to the Minister of Environment and Conservation not appointing a functional National Conservation Council (NCC). The NCC is responsible for determining criteria for CAs, and developing rules and regulations for proposals, as required by the Act. In 2003 a National Conservation Council was appointed enabling the possibility of creating Conservation Areas\*.

The Conservation Areas Act has the potential for more comprehensive, long term natural resource protection. The Act maintains landowner representation by way of a Conservation Management Committee which is comprised of local landowners and other stakeholders approved by the Minister of Environment and Conservation. The Management Committee is responsible for preparing a Management and Development Plan for the conserved land and this plan must also be approved by the Minister. The Management and Development Plan includes rules that pertain to the land within the Conservation Area and an enforcement structure for those rules. The Development Plan restricts development to that which is sustainable and considerate of the Conservation Area. The Committee also coordinates responsible staff where appropriate. The Conservation Areas Act applies to land under any form of ownership and encourages participatory conservation.

The Conservation Areas Act can provide legal protection against unplanned development and to maintain long-term sustainability of natural resources while

supporting meaningful social, cultural and religious institutions and preserving biodiversity.

**\*Editor's Note:** Since the appointment of the National Conservation Council (NCC) in 2003 the council has not had its inaugural meeting and therefore has become null and void. The Minister for the Environment and Conservation needs to appoint new members to the National Conservation Council so that Conservation Areas may be established more. However, while the NCC is not yet functioning, the Attorney General has ruled that Conservation Area proposals may be submitted to the Department of Environment and Conservation for approval.

In summary, the Wildlife Management Area is currently the most used law in Papua New Guinea. While it affords landowners good participation, it is not comprehensive and considers only wildlife protection. Both the National Park and Conservation Area are comprehensive laws but the National Park cedes all landowner rights to the government. The Conservation Area is comprehensive and allows good landowner participation but it has only recently been implemented and we wait to see its effectiveness. Once the National Conservation Council is in place, it may be the most important law for use in creating a protected area.

### **Steps in Establishing a Conservation Area**

Conservation Areas (under the Conservation Areas Act of 1978, Chapter No. 362) follows a series of required steps in its formation. First, the process may be initiated by a written request to the Head of State by the Minister of the Department of Environment and Conservation or by written requests by clan landowners, individual persons or groups.

The Minister then recommends to the National Conservation Council (NCC) the area to be declared a Conservation Area based on criteria established by the Council because of its biological, topographical, geological, historical, scientific or social significance or other special values for the existing or future generations. This recommendation should include a) a description of the area including its boundaries, b) a list of everyone who lives in the area, the landowners and what the land is used for and c) an explanation of why the land is special and why its conservation is important. This is followed by a notification to the public for comments where the Minister must leave copies of the recommendation at 3 places a) Office of Environment and Conservation, b) office of Provincial Government where the land is located, c) office of Local Level Government Council where the land is located as well as, d) inform the public of the recommendation in the National Gazette, in radio broadcasting in the area where the land is and in any other appropriate places.

There is then a 90 day period when written representations or comments can be submitted to the Minister after which the Minister then submits a final recommendation and official papers to the National Executive Council (NEC) (composed of all government Ministers which carries out executive functions of government) for it to make the final decision to declare the Conservation Area.

This declaration must again be publicly announced by head of state or NEC as noted earlier. Then the Minister records it in the Register of Conservation Areas and the Minister may also issue a certificate to indicate the area is in the Register which may be used as proof of registration in a court of law.

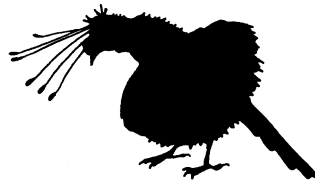
Once declared, a Conservation Area Management Committee is constituted and appointed by the National Conservation Council to advise and assist the Minister in administering the Act's provisions. The committee should reflect the interests of the landowners as well as Provincial and Local governments. The Conservation Area Management Committee is then responsible for preparing a Management and Development plan for the area which may include area development and an operational plan.

The Minister then approves the Management plan and with consultation of the Management Committee makes the rules for the Conservation Area after consulting with the committee, National Conservation Council and landowners. Failure to abide by the rules results in a 500 kina penalty. Once the plan is in place no one may alter it or the Conservation Area use except in accordance with the Management and Development Plan or with written approval of the Minister. Sections 32-34 in the Act provide the process for seeking Ministerial approval via an application with accompanying plans.

This Plan thus limits development and only allows such with the approval of landowners and the Minister. It requires owners to cede a considerable degree of their existing rights in return for unspecified future benefits. For example, for development by the state for a public purpose, landowner consent is not necessary. The penalty for permitting contrary development in a CA is a 40,000 kina fine with 4,000 kina default for continuing offenses. Such a penalty includes even land that is only recommended as a CA.

The customary landowners have the following roles or statutory powers under this Act:

- 1) to request the declaration of a CA and make representations on the proposed CA;
- 2) to be represented on the Conservation Area Management Committee;
- 3) to veto any development contrary to the plan, and
- 4) they may be appointed as staff on the CA.



## **Chapter V - Innovative Uses of Laws for Protected Areas**

Recently, two innovative uses of laws have been experimented with. Although they seem to have specific merit, they have not yet been tried for any length of time and are still being used experimentally.

### **1. Conservation Deed**

The Conservation Deed is a recent innovation which might be considered something like a "People's Conservation Area". It became a reality as a result of Bismark-Ramu Group's village training program in recent years. Although it is new and has not been tested, some lawyers feel it may be the strongest kind of legal land protection. It has flexibility in that clans may put any kind of restriction they wish to have on the deed.

A Madang village group which was trained in decision making and empowerment signed the first conservation deed which presently functions like a permanent legal easement on their land deed. A second Madang village group, after visiting the initial signers and liking what they saw, decided to sign a more conservative conservation deed. Their deed was signed for 5 years as a trial. In this deed, after two years of meetings, three clans came to a consensual agreement to place approximately one third of their collective land under the Conservation Deed.

The main focus of the deed was to protect their lands from any type of interactions by outsiders. They have decided to prohibit any kind of environmental alterations such as hunting or logging to occur on the approximately 1000 hectares under the deed. As part of the agreement the deed stipulates that if the three participating clans are in agreement they can change or even nullify the existing agreement. However, if one clan breaks the agreement they can be taken to court by the other clans. The deed was signed at a public ceremony in which those with user rights to those clan lands not under the deed were present. Finally, copies of the deed were sent to all relevant parties including Local Level

Government, Provincial and Central Governments as well as the Ministry of Environment and Conservation, Department of Forestry, interested NGOs and other interested parties.

Although the Conservation Deed is potentially a very strong law, it is essentially a business agreement between clans. Thus it is only as strong as the word of each clan and more importantly, as strong as any stipulation of penalty, in the event of one clan breaking the agreement. Therefore, any Conservation Deed should have a strong penalty stipulated in order to maintain the strength of the deed. One idea might be that the defecting clan must share a large percentage of any profits made as a result of breaking the deed.

### Sample Conservation Deed

Name of Clan

#### THE DEED

- **This Deed** is made on the .....(date)..... and we declare that this Deed binds the .....(names of clans).... Clans in the ..... District of ..... Province.
- **We declare** that the .....(names of clans)..... Clans control those areas of land described and marked on the map attached to this Deed.
- **We agree** that for the next .....(time period)..... that we, the people, shall conserve our land, including the forests, water-resources, native plants and the animals in their current state.
- **We agree** that only members of the .....(authorized group of people - this is optional)..... described in the schedule to this deed may:
  - a) enter the areas of land marked on the map attached to this Deed
  - b) authorize any other person, including other clan members to accompany committee members when entering the areas of land marked on the map
- **We agree** that we will **NOT** during the next .....(time period)..... negotiate or sign a Forest Management Agreement (FMA) with the Papua New Guinea Forest Authority, or any other body.
- **We agree** that we will **NOT** during the next .....time period.....enter into any agreement to allow timber to be harvested under a Timber Authority (TA), or any other commercial basis.
- **We agree** that we will **NOT** allow any form of hunting and fishing using guns, dogs, traps, poisonous vines, diving, fishing lines, fishing with lamps, hunting paths, in the areas of land marked on the map.

- **We agree** that no one will be invited onto our land to conduct surveys, exploration or any other activities of a commercial nature, without all clans consenting.
- **We agree** to work together to control development on our land in the future. Any proposed development of our land after the expiration of the said .....(time period)....., shall only proceed if all the said clans agree.
- **We recognize that this Deed is a legal document** which binds the parties to their promises and can be enforced in the National Court of Justice.
- **This Deed** will still be in force even if one of the persons who sign it dies or gets very sick.
- **This Deed** will be signed by at least three persons appointed and acknowledged by each clan as their leaders and representatives and these three persons who are authorized to sign on behalf of their clan.
- **The Deed was signed** at a public gathering held at .....(location - place of signing)....., on the .....(date)....., in the presence of the following witnesses:-

|               |         |           |
|---------------|---------|-----------|
| Title<br>Name | Address | Signature |
| _____         | _____   | _____     |

|               |         |           |
|---------------|---------|-----------|
| Title<br>Name | Address | Signature |
| _____         | _____   | _____     |

|               |         |           |
|---------------|---------|-----------|
| Title<br>Name | Address | Signature |
| _____         | _____   | _____     |

|               |         |           |
|---------------|---------|-----------|
| Title<br>Name | Address | Signature |
| _____         | _____   | _____     |

**Signed by**

**Name of Clan**

**Name of Person**

**Signature**

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

## **2. Local Level Government Protected Area**

Another recent innovation in laws concerned with land protection began with the Organic Law on Provincial Government established in 1997. It had its beginnings in East Sepik Provincial law in 1987 to devolve decision making and government administration to lower levels than the national level. However, it has not been used much especially in regard to the Provincial Government level, but it can be used with local level governments on WMAs. Section 44 of the Organic Law is relevant to the local level government whose development policies are conducive to assisting land use planning and sustainable rural development at the village level. Under section 44 local-level governments are empowered to make laws on the local environment, protection of sacred sites, local tourism facilities and can impose fines for breach of such laws. This law is being used to meet the challenge of finding an appropriate strategy to both protect the high biodiversity of an area and to provide for local sustainable growth.

This idea came about after a series of meetings with local landowners from the Adelbert Mountains during 2000-2002 which included some legal workshops to put the proposed legislation before landowners for discussion. A former dean of the Papua New Guinea Law School drafted innovative conservation legislation in consultation with the Nature Conservancy and the Almami Local Level Government to protect and conserve the biodiversity of the Adelbert Range. The legislation allows clan groups to maintain control of their lands while developing conservation management strategies for protection. Voluntary conservation agreements were made between traditional landowners and their Local Level Government (LLG). It promotes conservation planning and management within the framework of LLG community development planning. In return, the clans and LLG will receive aid in developing and managing the land and for finding appropriate livelihoods.

This Organic Law is empowered to make laws on local environment, protection of sacred sites, and local tourist facilities. It can impose fines for breach of its laws and it provides local level enforcement. This first drafting of an LLG law also contains items of the Environment Act 2000 which were modified to suit the Almami LLG. Thus, the proposed law is subject to the Environment Act 2000, the Conservation Areas Act 1978 and the Fauna (Protection and Control) Act 1966 as well as any provincial laws on the environment. It can be superseded by Central Government laws. Under this proposed legislation, the declaration of an environment and conservation area made by the LLG will become operational when it is Gazetted in the LLG Gazette, 6 months after recommendation to the government appointed Monitoring Committee which is to be

made up of 2 women from the LLG area, an NGO representative, a Ward Councilor, a person representing a Ward church, a representative of Ward youths and 3 landowner representatives.

The Adelbert Mountain Conservation Project has four components. The Almami Local Level Government (LLG) enacted conservation under the Organic Law of the LLG to create a mechanism that allows clans to propose their land for conservation and to develop an integrated management plan for their lands as the basis for the rules and regulations of the conservation land. Under this plan the ownership and management of the lands remain with the traditional clan landowners. Secondly, a team which includes a training coordinator and community and conservation development facilitators make regular field patrols to the involved communities.





## **Chapter VI - Land Tenure and Land Use Laws Relevant to Protected Areas**

Land tenure is the system of relationships within a group of people with regard to the land and the resources on it. Land rights are a subcategory of property rights defined by the social system and its history. Both land tenure and rights are flexible and change over time as conditions change. Land rights have been classified into 6 categories and such rights have accompanying duties or social obligations:

1. Rights (claims) to direct use which may include agriculture, access to and water use
2. Rights of indirect economic gain such as rental
3. Rights of control
4. Rights of transfer by will, sale, mortgage, gift, etc.
5. Residual rights in the case of death without heirs
6. Symbolic (identification) rights

Laws related to land tenure and land rights are important to clan landowners because they can be used in a first step in formalizing clan landownership from customary to formal law. The Land Groups Incorporation Act is an important law because it involves clans looking closely at their traditional mechanisms for land ownership, land use and for passing lands on.

### **1. Land Groups Incorporation Act 1974.**

The Land Groups Incorporation Act 1974 was produced from the Commission of Inquiry into Land Matters (CILM) conducted by the Australian Administration in 1972-3 which laid the foundation for many new land laws following independence in 1975. It provided for local communities to establish control over their land and natural resources and can be seen as a method of re-empowerment. It recognizes customary land groups

which control access to major land rights and gives them legal status under Papua New Guinea law. This Act recognizes the corporate nature of these groups to hold, manage and deal with the lands. The main powers of the Act in Section 13 are 1. Acquire, hold and dispose of customary lands and rights in customary manner, 2. Acquire hold and dispose of rights in other land, 3. To use, manage and enter agreements for such, 4. Borrow money for land development, 5. Distribute products or profits from land.

Once having gone through the incorporation process, an Incorporated Local group (ILG) is recognized by law as the only group having the right to hold, manage and make decisions about the land which they have customary ownership to. In essence it can be an opportunity to move customary law from oral to written tradition while solidifying existing customary landowners as the legal landowner.

It gives legal power to a group of landowners to act as a business organization and to make decisions concerning the land. The Act recognizes that while individuals own improvements, and have use rights of the land, land ownership is vested in the clan. The ILG establishes clan membership and clan genealogy and adopts a constitution. Its formal registration gives it power to incur contractual obligations, to sign legally binding documents and to avoid interference by non-clan individuals. The decisions of the ILG have authority over other clans, government, businesses and banks in regard to their customary lands. Formal organizations, recognized by law, are probably preferable to informal groups, however democratic. The Papua New Guinea Forest Authority (1995) suggests that ILG formation can be a precursor to company formation and to more complex Landowner Associations, which could carry on a variety of enterprises.

The Act basically establishes group membership by determining who the primary rights-holders are through the use of self and mutual recognition supported by genealogies and property lists. Primary right-holders belong to a group by virtue of both descent and residence. Other rights such as contingent right-holders (by descent and by past or future residence), secondary right-holders (by descent but not residence) and marital and permissive right-holders (by residence but not descent) are not recorded but are maintained by continued customary practice and arrangement. This law empowers the customary landowners and solidifies the group ownership by requiring consultation among group members for making major group decisions. It also requires consultation and cooperation between incorporated neighbouring land groups.

While it is important for landowners to explore all the legal possibilities for the conservation and protection of their lands and natural resources, one of which is the Land

Group Incorporation Act, its use is not essential but may become more important in the future especially when clan landowners wish to enter into business or other contracts. The present law already provides for landowner representation in Wildlife and Conservation Area Management Committees. However where a greater responsiveness of landowners is desired, the following steps should be taken to form an Incorporated Land Group: 1) Preparation of the land group's first draft of a constitution, 2) Application for incorporation, 3) Notification and publicizing the application, 4) Consideration of any comments as a result of the publicity, 5) Incorporation by the Registrar.

The process of Land Group Incorporation has been described in detail in books edited by Tony Powers, including its strengths, weaknesses and opportunities in going through the process for clan landowners (see Important Literature for Landowners). The Land Group Incorporation Act of 1974 gives fundamental legitimacy by the state to customary land groups. In addition, the present Forestry Act gives preference to resource owners organized according to the Act who apply by official application form to the Managing Director of the Forest Authority for "recognition". Forestry Officers can assist landowners in the process.

This incorporation is the basic level of formality in land group organization. Local Level Governments should eventually recognize Incorporated Land Groups (ILGs) within each Council Ward. Village Development Committees (VDCs) may be the next level up to bring together a number of ILGs which can deal with all kinds of area projects. VDCs would be assisted by a Village Lands Team which would be represented on the VDC. All group meetings and interactions would be recorded so any ILG would need a literate Secretary.

These community structures are needed to deal with outside situations under a legal basis. The VDC is a management tool not a political, government or even a legal body. Incorporation means formation of a single body which represents many people recognized by the laws of Papua New Guinea. Land Group Incorporation recognizes the customary landowners and gives recognition to these groups to manage their lands "A land group is a group of people who by custom have the right and responsibility by inheritance or any other customary means to control their customary land and who can make fundamental decisions about their land without reference to other groups". Usually they are members of a clan (lain wanpisin) or a sub-clan. The reason to go through the trouble of incorporation is because of the changing times which have brought additional threats to lands and land tenure. Resources can now be sold off for cash and lands can be destroyed. The Act recognized the fact that the land group which is a corporate body in

existence under custom is the social, economic, and political basis of life in Papua New Guinea. Legalizing the group gives it recognition by outside agencies. It can also strengthen clan leadership. All money from ILGs should go in an ILG bank account rather than being directly distributed to individuals.

There are other landowner groups which can be formed for specific reasons. A landowner company (LANCO) is a corporate vehicle in which clans own shares to enable them to participate in and benefit from resource development impacting their community owned land. All members of each clan must be beneficiaries. A Landowner Association is a group which can have an important role in sustaining the long term future of landowners. It is a legal body set up by a group of landowners from a region or a specific project. It can deal with impacts which affect each other's lands including long term sustainability. Some have set up a Future Generations trust, to provide 30% of ILG income invested for long term benefit.

## **2. Land Disputes Settlement Act 1975**

The Land Disputes Settlement Act (Chapter No. 45) sets up a decentralized system of mediators and courts for resolving landowner disputes over lands under customary law. The process should accompany any ILG process because it establishes a decentralized process for resolving property rights conflicts during and after the land incorporation process.

There is a 3 level process for disputes. First, a land dispute is brought before a mediator(s) appointed by the Provincial Land Disputes Committee. Such mediators are usually appointed on a case-by-case basis. The mediators are usually older, respected men who may not have formal education but are experienced and respected for their knowledge of customary law. After hearing both sides, the mediator may propose a possible settlement. If accepted the legal process may end or may be forwarded to a local magistrate for approval.

If not accepted the matter may be referred to the Local Land Court for a trial decision. At the trial the magistrate accompanied by two or more mediators (usually who have not heard the dispute before) and a decision is made by majority vote. A dissatisfied party, at his own expense, can still appeal the court decision to the Provincial Land Court which will examine the local court's record and call additional witnesses. Rarely, a final appeal can be brought before the National Court.

Each village needs at least one expert in custom, who is recognized as such, who knows the history, to act as advisor to the lands team. He must be able to make clear, how tumbuna (traditional) stories guide decisions on land issues. He would participate on a committee to settle disputes called the Dispute Settlement Authority (DSA). Each clan should be represented on the Village Lands Team (VLT). The VLT asks clans to nominate representatives for the DSA for the ILG. The DSA looks at all documents and should keep accurate records.

### **3. Land Registration Act 1981 and the Land Act**

Land Registration has had a negative history because it was misused and identified with the misinformed idea that having lands under customary law was retarding progress in Papua New Guinea and that there was a need to replace customary land ownership with freehold or private land ownership or lease. However, this idea disregarded the traditional social fabric of Papua New Guinea and the traditional kinship base for commerce through traditional land ownership.

Thus two National laws were introduced for the purpose of converting customary land to private land. Land Tenure Conversion was introduced in 1963 to provide for the transfer of customary land to individual freehold title. The idea was to facilitate a smooth change from a communal system to one of “free enterprise”. Under the Land (Tenure Conversion) Act, customary land may be “alienated” or converted into freehold title, thus freeing it from restrictions on dealings in customary land set out in the Land Act. The Land Act also provides for a lease-lease-back scheme under which customary land may be acquired as leasehold by the state then leased back to the original owners for agricultural development to provide credit for loans.

However, the Land Act also imposes restrictions on dealings in customary land. Section 73 makes provisions for customary land stating that customary land can only be disposed of to “natives (automatic citizen) in accordance with customs” or the state. Section 73 of the Land Act prohibits sale, lease, or disposal of land except to Nationals in accordance with customary laws. It is generally agreed that this provision forbids dealings in customary land amongst private individuals. However, Section 15 of this act does permit government to purchase or lease land from customary owners. This in essence defeats the original idea. Thus the “Lease-and-lease-back” is an arrangement where government leases land from customary owners and then leases it back to them in order to bring the land out from under the constraints of Section 73. Thus Section 15 can be used to defeat the purpose of Section 73 which is to prevent violation of Customary Law.

However, fear of loss of land through indebtedness has led to limits being placed on customary landowners' freedom in this respect to mortgage or sell the lands.

By registering lands it does not have to lose its customary quality. But it may do so by legal definition or the law may provide or insist that all customary rules still apply to the registered land. Registration includes the making and keeping of maps and records of land ownership. Until the 1960s this was only done with private lands. Registration has the potential to bring together into one place, information about ownership which has traditionally been scattered within different communities. It also can give advantage over non-registrants.

The process of registration is detailed with safeguards. It requires hearings to establish that the customary owners wish to register their lands and that others do not object. Registration converts unwritten records of boundaries into written records. It does not change the substantive law of property which continues to be custom as interpreted by the land courts. After registration, property rights are still allocated according to customary law with no absolute, unitary ownership.

In the future, customary clans can become viable units of production. Thus a clan acting as a corporate body can become owners and managers of the land. Clans can form Incorporated Land Groups with traditional leaders serving on the Board of Directors which make business decisions. Thus, land registration would hopefully take a clan through an invigorating process that will increase its ability for corporate action.



## **Chapter VII - Conclusions and Recommendations to Clan Landowners**

In Papua New Guinea, while there are strong laws protecting the customary landowner rights, there is also a current cultural/historic changing of ideas and values which has created some major threats both to the land use and local clan ownership. Hopefully, a combination of laws can be interwoven to create protected areas which strengthen customary land ownership and management but also strengthen a legal basis for protected areas which balances natural resource protection with sustainable natural resource use by local clan landowners. This balance would intimately involve local landowners and villagers in the management and wise use of the resources and protection of the rich biodiversity, while maintaining the desired rural environment and allowing for increased appropriate economic growth.

Although not fully tested, the Conservation Deed is said to be the strongest legal protection for lands. Therefore, it may be a pivotal legal device to be used with either the Conservation Area, the Wildlife Management Area or the Local Level Government Protected Area. Of those three, the Conservation Area is the strongest because it gives the lands protection under the National laws. WMAs also do this but they are more restricted to wildlife protection whereas the Conservation Area is more comprehensive. The Local Level Government is also comprehensive but could be superseded by national laws. However, as used by the Almami LLG, it appears to be attractive in two respects: it involves the Local Level Government and it is quicker to effect because it doesn't require the time for passing laws through the National Government agencies.

Although the WMA laws have already been used most extensively in Papua New Guinea, and they do give important participation to local landowners and other village members, it is my feeling that a strengthening of a true co-management concept needs to be developed both within existing laws and in a true practical sense. For example, an anthropological study of the Crater Mountain WMA indicates that participating villagers of one of the village complexes, Mama, see the management committee as belonging to the NGO, the Research and Conservation Foundation (RCF) rather than as belonging to

them. Thus, clan landowners and other local participants must be involved throughout the process and must be encouraged and or trained to begin to make the land use decisions. The Management committees must be composed of membership which encourages this empowerment.

Since much of the government powers are stipulated in specific laws, government and NGO membership in the managing committee are merely for overseeing, coordinating, advising and teaching. Whereas a committee heavily weighted with a majority of landowners will help the committee to take charge of the management responsibilities both for their own benefit and for that of the conservation and sustainable use of the natural resources.

It has been stated by one author “the formulation of laws and the “writing down” of culture to satisfy a bureaucratic procedure is potentially the first step in a process of disempowerment of local people in the establishment of a WMA”. While in essence this statement is true, in reality it sweeps aside the powerful forces of modernity and technology that are constantly impinging on indigenous people. Specifically, it also disregards the government changes in Papua New Guinea that govern the clan landowners. Thus, teaching clan landowners to use these modernizations will only help them to protect themselves and attempt to guide these changes to include and adapt some of the customary ways into the modern legal system.

Conservation of certain protected areas has been presented as specific clan no-use areas which would serve as wildlife “banks” whose resources would always be owned by the people and which would provide “interest” of young animals which would disperse to other areas to be hunted. This idea has been understood by the YUS clan land owners and has led to the “pledging” of lands by a number of clans within the YUS area (area encompassing the Yopno, Uruwa and Som Rivers) as no-use zones which have been supported by the local government. In January 2009 the pledges were formalized into a legal protected area with agreement by the landowners and various levels of government.

One main long term goal of this book is to help clans within the YUS area and adjacent areas to continue to create more formally protected areas agreed upon and respected by all participating clans, adjacent non-participating clans, other area residents and all levels of government. These protected areas would allow continued customary land ownership with continued customary uses and would allow land owners to create legally respected Management and Development Plans for protection and sustained use of



the natural resources on these lands with accrued benefits (where feasible) going to participating landowners on an equitable basis.

One main point that should be considered by clan landowners is that it is important not to equate conservation solely with economics. This is a hard concept to eliminate since there are hopes on the part of landowners and rural people to understandably have interest in increasing their economics through use of the natural resources. Instead landowners need to think more about the broader aspects of protecting the lands and resources that they have and its long term effects on their culture and the rural lifestyle for future generations. In reality, it is the whole landscape that is the resource. In Papua New Guinea all aspects of natural resource use are interwoven with the whole landscape culture.



## Important Literature for Landowners

(\* indicates primary importance)

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**Remember :** In Papua New Guinea “Land is Life”

*When you as landowners do not understand the law regarding your lands, consult a trusted lawyer before acting. If in doubt, contact the following organizations:*

**Centre for Environmental Law and Community Rights, Inc. (CELCOR)**

Suite 6B, Level 2, Garden City Shopping Complex  
P.O. Box 4373, Boroko  
Port Moresby  
Papua New Guinea  
Tel: (675) 323-4509 or (675) 323-4237  
Fax namba: (675) 311-2106  
Email: [info@celcor.org.pg](mailto:info@celcor.org.pg)  
[www.celcor.org.pg](http://www.celcor.org.pg)

**Environmental Law Centre (ELC)**

Ela Beach IEA, Room 2 & 5, Block L, Section 32: Lot 1  
Ela Beach Road  
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