Comments received by the CCBA during the validation audit.

CCB Standards Second Edition

Project: April Salumei Sustainable Forest Management Project

Comment 1
Date: 12 July 2010
Sent by: Theo Yasause, DNA PNG

Dear Readers

Protecting the Forest will benefit the Environment, Climate address social, economic and political indicators and the Rural Majority in Papua New Guinea. The April Salome Pilot REDD Project addresses poverty, gender, health, education and other social indicators, a very well structured document of high standard.

What is REDD and April Salome Pilot REDD project about?

The environment, climate and the rural majority will benefit from an initiative orchestrated by Papua New Guinea’s Founding Father, Sir Michael Somare who led the crusade on ‘Reduced Emissions from Deforestation and Degradation’ (REDD). This initiative is now embedded within the United Nations Framework Convention on Climate Change (UNFCCC) Negotiations on climate change which started in Bali. This initiative has wide support from many Governments and non-governmental organisation and could form one of the main outcomes of the Climate Change Negotiations in Copenhagen from 1-18 December this year.

REDD systems could ensure the environment, its bio-diversity, eco-systems and medicinal plants and animals can be protected from harmful un-sustainable exploitation of the forest and its surroundings. Mere protection of the environment through reserves and conservation areas do not really provide adequate incentives for the protection of the environment and its bio-diversity. It requires a more robust system of incentives that would compel the rural dwellers to opt for other options than those conventional methods of destroying forest such as bush fires, logging, and agricultural use. These conventional methods would not disappear completely within the Papua New Guinea’s cultural settings but the more robust system of incentives either through voluntary trade or market based mechanisms could offer our rural majority an alternative income stream.

Within the globalized world where financial incentives are more entranced, both financial and non-financial benefit flows to rural areas should be considered as a way of protecting the environment, the climate and whilst addressing the poverty dimensions of the rural majority.

Considering such issues within the design and implementation of REDD systems in Papua New Guinea’s rural settings is likely to increase the effectiveness as climate change mitigation instruments.

April Salome REDD Project: Protecting forests, saving the climate and reducing poverty

Offering financial incentives to the rural majority in Papua New Guinea to reduce greenhouse gas emissions from REDD) represents a potentially innovative and cost effective mechanism for tackling climate change. It also has clear links to biodiversity conservation and other areas of environmental protection and conservation. But can it be implemented in ways that safeguard, and ideally enhance, the welfare of the poor. There are three possible outcomes, which will depend on the design of REDD mechanisms and the context within which they are implemented as outlined by UN climate change agenda:
1. REDD could deliver new benefits, for example through employment or increased security of land ownership

2. REDD could do no harm', offering no new benefits but presenting no new risks. This could be associated with an approach oriented to defending landowners’ rights or ‘poverty safety nets’

3. REDD could pose new risks, such as loss of access to land and conflict over resources

This three outcomes can be addressed through policy measures being considered by the Office of Climate Change and Environment Sustainability to increase the long term viability of REDD in particular the draft policy process for undertaking REDD projects in the country. Many policy analyst both national and international would say that the issues of particular interest are related to risk management, benefit sharing arrangements, how the activities and interests of the rural majority are factored into REDD design and implementation. The April Salome Pilot project addresses just that.

Have April Salome REDD taken rural approach to REDD within the context of the UN Millennium Development Goals (MDGs), the Medium Term Development Strategy (MTDS), the new National Strategic Development Plan (NSDTP ) and Vision 2050 of Papua New Guineas development agenda? Absolutely Yes

The answer is yes. The MDGS, the MTDS and the NSDTP have one common objective poverty alleviation and improving all other social, economic, and political indicators as outlined in their respective strategies and plans. The question that comes to mind in Papua New Guineas context is “have these been addressed adequately or for that matter achieved?”

In my view the April Salome REDD project process be it voluntary or market based would assist in the attainment of these national and international obligations that we have signed up to as a country. We must strive to look at various policy measures and strategies that would assist the government to facilitate the various development plans.

The designed of the REDD policy measures as it stands at the moment (draft policy) gives the land owners ownership over their forest and whatever is contained in that forest for the purposes of the protection and preservation of bio-diversity and the need to address climate change measures and more importantly for them to have a greater say on the implementation of the REDD projects in the country wherever it is implemented. These measures are indented to ensure that the landowners have a rightful place in the design and implementation of a REDD project whether voluntary in the current schemes of things or a market based post 2012 UN Climate Change deal and that addressed our need to improve our economic, social and political indicators.

In the voluntary market, although the payment for the eco-system services is small it is a stepping stone for a more rigorous market based mechanism currently being negotiated. What is important to note is that we must test out the policy measures and plans being proposed and improved on them when the market based systems comes into play.

The question, I will pose for the policy makers in Waigani who have not given prominence to climate change, its effects and providing and alternate revenue sources for my rural dwellers to improve their living is have you done enough our various goals and objectives?

I say this with one conviction, I have tried in various ways to influence the policy process in the country as General Secretary of the National Alliance Party, as Chief of Staff and Executive Director of the Climate Change and Environment Sustainability as well as the co-author of the National Policy Process currently being pursued, including the draft Climate Change Policy and the draft REDD Policy and its draft legislation. Me as a rural dweller was thinking in the mindset of
a poor rural dweller reading the great minds of the UN MDGS living to my thoughts of making a difference for my people and the country I belong and loved so much.

The bottom line is all policy measures must have a higher calling. Are we addressing the real needs of our people and their development aspirations? The MDGS, the MTDS and the new NSDP can be great ideas that cannot be achieved in a long time to come. My small but humble advice is “give April Salome Project and REDD a chance” it will change the economic, social and political landscape assisting you in the overall visions and dreams.

In the REDD process, I think we do as I am not subservient to outside influence. We cannot be bought or sold but make an influence. April Salome will deliver and open the eyes as the vehicle for future development of the country – Papua New Guinea.
Comments on the ‘April-Salomei Sustainable Forest Management Project’ proposal submission for validation under the Climate, Community and Biodiversity Alliance standards

WWF Western Melanesia Programme Office (WWF WMPO) generally supports any moves towards the development of carbon forestry projects in Papua New Guinea, both for their potential to reduce emissions from deforestation and degradation and for their ability to improve the livelihoods of rural communities.

However, WWF WMPO has some concerns about the quality of the design of the April-Salomei project that has recently been submitted for validation under the Climate, Community and Biodiversity Alliance (CCBA) standards. We believe that in certain key areas, the current project design fails to meet the CCBA standards, and that some critical areas have been left unaddressed.

WWF WMPO is concerned that if this project design is validated and ultimately receives approval, the communities within the project region may not benefit from the project equitably. WWF WMPO is therefore concerned that this may endanger both the perception of the CCBA standards internationally, and the future development of voluntary carbon projects in PNG.

The key concerns regarding the design of the project are outlined below. Each section of the document is analysed in turn and compared with the key requirements of the Community, Climate and Biodiversity Project Design Standards.

Further supporting information in the form of a recent press release from the Papua New Guinea Office for Climate Change and Development, and a research article¹ provide supporting evidence to WWF’s concerns in this case, and accompany this brief report.

Summary of concerns – April Salomei project

The principal concerns can be summarised as follows.

1. Community testimony and research findings (see supporting documents) indicate that the level of community consultation and understanding of the project in the region is insufficient to guarantee the project has ensured free, prior and informed consent of landowners.
2. The proposal does not adequately recognize or account for existing disputes over land tenure and landowner company representation in the region.
3. According to recent statements by the Office for Climate Change and Development the development of voluntary carbon projects is not currently supported by the Government of PNG.

Detailed Analysis – April-Salomei Sustainable Forest Management Project

<table>
<thead>
<tr>
<th>CCB Project Design Standards Requirements</th>
<th>Statements from the Project Design Document</th>
<th>Concerns</th>
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**CM1. Net Positive Community Impacts Concept**

The project must generate net positive impacts on the social and economic well-being of communities and ensure that costs and benefits are equitably shared among community members and constituent groups during the project lifetime.

- PDD states “during an extensive awareness and consultation program a number of activities were implemented to invite comments and input from stakeholders.” (p95)

  “Tack Realty (2004) stated that 30 Incorporated Landowner Groups (ILGs) from the April River Local Level Government refused to sign during the structuring of the FMA. Those thirty ILGs have now signed the agreement as an individual ILG and have given consent to Niksek Samsai to act on their behalf in respect to the project”. (p95)

  “The April – Salomei Forest Management Area (FMA) has 163 Incorporated Land Groups (ILGs) that come under an umbrella landowner company, Hunstein Range Holdings Ltd”

- Not evidenced in the PDD. Concerns remain as to the standard of FPIC and consultations carried out within the community. See supporting document data (p16-19)

- This is not evidenced within the design document. Recent consultations and community testimony suggest that this may be inaccurate.

- This statement is not fully supported by recent testimony and evidence from previous consultations in 2009. See supporting document (p20)

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**CM2. Offsite Stakeholder Impacts Concept**

The project proponents must evaluate and mitigate any possible social and economic impacts that could result in the decreased social and economic well-being of the main stakeholders living outside the project zone resulting from project activities. Project activities should at

- Not sufficiently justified within the project design. In the PNG context, any project development has the capacity to escalate existing community tensions. The project design should address the question of equitable distribution of benefits, as the ‘resource curse’ is always a risk.
**CM3. Community Impact Monitoring Concept**

The project proponents must have an initial monitoring plan to quantify and document changes in social and economic well-being resulting from the project activities (for communities and other stakeholders). The monitoring plan must indicate which communities and other stakeholders will be monitored, and identify the types of measurements, the sampling method, and the frequency of measurement.

Key intended monitoring activities outlined in p130 of the PDD.

- Monitoring plans are insufficiently evidenced or explained in the PDD. There is no identification of communities in which monitoring will take place. No methodology is described and no justification for choice of methodology is given.

**G5. Legal Status and Property Rights**

"The project must be based on a solid legal framework (e.g., appropriate contracts are in place) and the project must satisfy applicable planning and regulatory requirements."

"As the pilot project for Papua New Guinea the project has received approvals from all relevant bodies including, Prime Ministers Department, Forestry Department and Department Environment and Conservation" (p92)

- No approval has been granted—the Government of PNG has stated that voluntary carbon projects are not supported at the current time. The project design bases its approval on supporting letters from a government institution (the Office for Climate Change and Environmental Sustainability) which was dissolved in 2009. It is the

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2 See statement from the Government of PNG Office for Climate Change and Development in supporting information.
**Validation Audit Comments Received**, pg. 7

<table>
<thead>
<tr>
<th>Project proponents should communicate early on with relevant local, regional and national authorities in order to allow adequate time to earn necessary approvals.</th>
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<tbody>
<tr>
<td>Understanding of WWF WMPO that all approvals issued by this department have since been rescinded.</td>
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<tr>
<td>Research in late 2009 demonstrated significant unresolved disputes remain in region. There is no evidence provided that these tensions have been resolved, or evidence of proposed procedures to resolve existing disputes.</td>
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<tr>
<td>To the knowledge of WWF WMPO, the Papua New Guinea Forestry Authority has not yet given permission to any developer for REDD projects to operate within Forest Management Areas.</td>
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**General Comments**

Generic statements have been made about biodiversity in the PDD which are not accurate. While WWF’s forests team believes that the April Salomei almost certainly qualifies as High Conservation Value Forest, the PDD does not adequately establish this, leaving the way open for this to be challenged by opponents, and undermining credibility. In order to sustain the statement in the PDD that this is High Conservation Value Forest, more survey work, or a more thorough desk review, is needed.

<table>
<thead>
<tr>
<th>P.41 – ‘flagship species of the area includes the birds of paradise, and various endemic species of birds, mammals, reptiles and invertebrates’</th>
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<tr>
<td>P.22 – ‘beech woodland may include species of Barringtonia asiatica, Pandanus tectorius’</td>
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<td>P.46 – ‘the area clearly qualifies as a HCVF characterized by high biodiversity and endemism, and also by the fact that it is home to a number of species of fauna and flora that are listed in either IUCN red list or in CITES I, II &amp; III’</td>
</tr>
<tr>
<td>There is no specific listing of the flagship species (especially plants). No evidence is presented that presence of flagship species has been confirmed. In particular, if they are endemic they should be clearly listed.</td>
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<tr>
<td>There is no beech woodland in the April Salomei area and so no species of Barringtonia asiatica, which is a coastal species.</td>
</tr>
<tr>
<td>Apart from 6 CITES/IUCN fauna species, there is no plant species (flora) listed under CITES/IUCN stated in the species listing in the PDD. None of the plant species in the area are rare or endemic to this area as stated in the text. There are numerous mistakes in species names, or incorrect names used - for example Areca calyptrocalyx – names of 2 completely different genera – it should be Areca macrocalyx which is name for this local species Kavivi listed in the table.</td>
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Supporting documents

Press release from the Office of Climate Change and Development (Post Courier - July 14th, 2010)
Introduction comments

The comments made here in are from Dr Martin Golman who is representing himself as a prominent landowner of Malu village in the project vicinity and an expert in sustainable forest management practices and carbon assessment in April Salumei. Dr Golman is currently the Deputy Director of PNG Forest Research Institute of Papua New Guinea. He did his PhD research with particular reference to integrated landuse planning for the people of Samsai Niksek forest community of April Salumei area of Papua New Guinea.

The comments made here are very specific to the requirements of the PDD and also to reflect on actual realities in the project communities. Therefore it is vital that the points highlighted here and recommended be taken on board to ensure the project is successfully implemented. The critiques are no way to hinder the progress of the project but to define the conceptual framework so that it then becomes implementable and rewarding to both the community and the world climate agenda.

The major areas that will be looked at revolves mainly around; proper landowner consents, landuse planning, proper appointment of landowner company, critics of the way landowners were not properly incorporated into current carbon arrangements, the methodologies involved in the accounting of carbon, lack of citations of the primary data sources, lack of baseline information and all these to contribute to how best landowners will benefit and meeting climate change policy agenda. The lack of consultation to other known experts of the area and professionals is a concern.

In PNG land is an important heritage but also an asset to the customary landowners who own 98%. This principle is supported legally by the national constitution. It is a significant asset that the indigenous people of PNG enjoy and depend on from generations but it can be a challenge for landowners if their rights are not respected through any changes and that is what makes the mechanics of REDD projects implementation to be unique. Bottom up planning therefore is paramount for landowners’ immediate involvement and ensuring they are aware of how their decisions will create benefits on their land.

Comments on April Salumei PDD

G1 Original Conditions at Project Site (Required)

The Preface should be short and brief instead of quoting the development plans as taken from a district development framework.

G.1.1 Describe the location of the project and basic physical parameters (e.g., soil, geology, climate)

The project location map is in the wrong page (12) and should be under G1.1 section to show where the area is.

The paragraph describing the April Salumei management Area falls short of explaining what 521,000 ha is comprised of. There are two areas of 177,200 ha and 150,620 ha of production and net production area respectively which do not add up.

Information in this section on soil, hydrology, climate and geology are not well researched and cited. The DOS or Development Option Study of April Salumei (1996) would not be reliable, as it is from a secondary source. Other
primary data sources are available but as this document was done in rushed manner such references could have not been cited.

There are errors in the names of the river systems.

Referencing of the original work is poor here. When you have a reference citation in the text, this must be followed by the bibliographical details at the end the document with proper styles. That wasn’t the case and that should be done in the revised PDD.

G.1.2 Describe the types and condition of vegetation at the project site:
The details in here if they were rightly being extracted from Hammermaster and Saunders, that must be clearly stated as such. Pages 18 – 22 are all the information from either Hammermaster & Saunders or FIMS. Right citations and acknowledgements should be accorded to these sources on paragraph basis.

The different vegetation types do not add up to the total area in April Salumei of 521,000 hectares. Is there an explanation to this and why would this be so?

G.1.3 Describe the boundaries of the project and the project zone
This section is done with mistakes to derive at this poor output and thus would set a very bad methodological precedence towards achieving a legitimate climate change and REDD project in April Salumei.

Firstly, this output undermines the methodological process of determining the legitimate boundaries of the area, the formation of the 4, so-called cultural groups (which are not, geneologically, culturally and legally acceptable) The 4 groups namely Niksek Samsai, Sio Wari, Salumei and Nom are arbitrarily being constructed. There needs to be finite details which are missing to define these categories of land groups.

Secondly, from whose consent was the Hunstein Range Holdings given the mandate to represent the entire April Salumei REDD project. This is a matter of contention which will be further elaborated.

The exclusion of the April River portion of the FMA which hasn’t been taken account of since the area was excised back in 1996/97 when the FMA was signed. This status is still shown on the boundary but unfortunately, this report has indicated that the 30 ILGs have signed the agreement as individual ILGs consenting to the REDD project.

If that is the case which area are they signing up for when their area was excised in 1996/97. What is the exact area of this 30 ILGs on the map. I was involved in the excising of this area when I was the Divisional Manager of Forest Planning with PNG Forest Service then. I know exactly which were the landowners who decided against the Forest Management Agreement to be excluded, hence their area was excised. Such excision had excluded a good area of forest hence carbon. Was this area included in the carbon accounting of this PDD?

This issue now raises another point of how do we know how much of one clans’ land and therefore how much carbon pertaining to a clan is accounted for so that when credits are due for these ILGs we’d know what is exactly to be paid to a clan and the individuals of the clan. We cannot accept that every clan has got equal portions of land in April Salumei hence will share the Carbon credit revenue along the same proportion. This may be easier to say on paper but in reality that’s not so. For example the Bahinemo and Berhinemo and part of Niksek tribes own about 220,000 ha of the land and forest therein which is were in the center of Wildlife Management area. The clans in them share between area sizes of 10,000 to 50,000 hectares each. They will be expecting more carbon credit funds than those who leave outside of these areas. That is where proper clan identification and mapping exercise is very needed. This hasn’t been considered in this PDD and is strongly recommended here that this must take place immediately to ensure proper benefit sharing arrangement is put in place for the landowners.

The ILG numbers shouldn’t dictate the benefit sharing mechanism, as many ILGs may have smaller area than a few ILGs with bigger area. Therefore the proportions of the benefits must equate the area sizes of an ILG which then
reflects monetary value of the carbon estimates for that area. With this we will see equitable and fair benefit sharing being accorded to the landowners.

The boundary of the April Salumei REDD project implicates the project as been entirely for carbon trade. If this proposal is suggesting the entire forest area will be assigned for this purpose alone, then that is totally wrong because that is not inline with the landowners initial intention of applying certain other landuses; e.g., Bahinemo, Berhinemo and Niksek tribes who are called Niksek Samsai group. They have an area of 220,000 hectares and I have done my PhD research in valuing their forest environment using participatory forest landuse planning with them and have identified certain longterm landuse options which would have a greater conflict with the proposal for carbon landuse only.

The all REDD proposal is dangerously designed to lock up forest and land which by right is owned by the people in the area and they should not be restricted to make any decisions about how and what their future obligations and rights of their land should be. From my observation, consent to limit their options only for Carbon has not been given by landowners.

What was said in this report to access consent was merely compiling names that were last collected in 1997 ILG exercise done for the FMA (i.e., 13 years ago) only selective ILGs have been included recently without properly identifying the landowners as legitimate owners of their property in which they can be awarded their rightful benefits from the carbon revenue.

The buffering of 5 kms has now arbitrarily created additional villages and therefore calls for extra landowner identifications and ILG formation to be included. If this additional 5 km notion is within the CCBA standards and framework then proper investigation must be done on the ground. The report has not stated that.

On page 26, second paragraph reports that “CCBA (2008) defines the ‘project area’ as the land within the carbon project boundary and under the control of the project proponent. All Incorporated Land groups from within the project boundary have freely consented to the projects development (see G5.3)”

This statement does not satisfy the PNGs land tenure system and that in particular, 98% of land is owned by the people of which the ownership rights belong to. Under no circumstances can these rights be controlled by anyone outside of those who have direct customary ownership over their land. If these rights were to be controlled there will always be legal challenge to stop any of these rights to be controlled solely by any outsiders or non landowners. This is what makes PNG’s case in REDD very unique from rest of the world. Serious consideration must be sought through this validation about how PNG’s landownership integration to carbon projects for REDD can be implemented on equitable, transparent and legitimate manner.

However, there are avenues to develop a mechanism to work with and this must take place with a thorough participatory landowner process. That wasn’t done in this case to allow the proponent to take control of the entire 521,000 hectares of Forest in April Salumei. I am keen to assist in this area if those who have been involved initially could allow me to be involved.

I did my PhD research based on this principle to identify landowners and mapping clan boundaries of Samsai Niksek of April Salumei to be integrated to a number of landuse scenarios. No one approached me to be involved even as a landowner of the project area.

G 1.4 Carbon Stocks within the Project Area
The calculation of carbon stocks within the Project Area is very course based on IPCC default values. This to me and the Forest Research Institute of PNG is a very unfair representation of what the actual forest data and carbon stock is for April Salumei. The best the consultants who prepared this part of the document could have done was to consult Forest Research Institute (FRI) about the Permanent Sample Plots data and analysis that has been compiled and paper written in collaboration with the University of Melbourne about calculating above ground biomass of the entire
country. Again if we (FRI) were approached to assist we could have provided a reasonable carbon data quantification for April Salumei at a 2 tier level that would be more credible than the current information.

The implications of generalised carbon stock information are quite obvious. There can be under estimations which may lead to trading less carbon for less value, therefore minimising the benefits that landowners would get, hence they are at liberty to decide for a lucrative economic landuse activity, and currently the oil palm stands to be very profitable. On the otherhand, if the carbon stock was over estimated, the burden may be offset through foregoing additional forest areas to offset the outstanding carbon credits.

Nevertheless, the point here is that we(FRI) have developed from data available couple of methodologies which should have been applied to April Salumei REDD PDD.

**G 1.5 Communities Located in the Project Zone**

The population figure for the April Salumei area is somewhat under estimated as there were a lot of discrepancies in the 2000 national census. If these discrepancies were corrected, then the figure would have been somewhat greater.

This section exhibits some biases towards the representation of a tribal group that is also the landowner company Hunstein Holdings LOC which is still a questionable LOC for its illegal representation. I am strongly inclined to suggest that this landowner company should not be a representative landowner company and must be dissolved at all cost for obvious reasons. Otherwise there is likelihood of imminent legal battle to disqualify the whole project.

The table 3 in page 36 does not show Wagu, Yigai, Namu, Mali, Bigiaru and Sumawari to name a few, which are the villages with a good area of land most central in the entire project area and shows clearly the schematic bias I am alluding to. Niksek Samsai in the same table is not a village. Yerekai village population of 900 is questionable and raises a question as this is the village where the current chairman of the Hunstein Holdings comes from.

**G 1.6 Current Land Use and Land Tenure in the Project Zone**

This section requires a proper description of landuse(s) of the area and how these landuses are connected to the tenureship of the project area. Landuse in this context doesn’t refer only to agricultural landuse but also hunting and gathering areas as this forest region is known for its semi nomadic hunting and gathering system of livelihood. How do we know which areas are assigned to hunting and gathering of food, medicine, housing materials, canoe, tools etc.,

By interviewing, identifying and mapping ( GIS) these on family to clan basis, boundaries can be determined to know who owns what property in the forest region and therefore the current traditional landuse(s) can be defined. This was unfortunately not done but a good narration of land tenure system of PNG was described with no basis by the proponent and consultants. Further elaboration can be done to determine the future landuse scenarios to get the feel of what is expected from these different pockets of clan landuses.

I have successfully identified the clan landuses both current and future for the central part of April Salumei with an area of 220,000 hectares and designed a multiple landuse optimisation model for decision making by landowners. Upon knowing the best landuse options for the project can one determine the actual areas set aside for carbon landuse.

In page 38, under Forest Management Agreement (FMA) Area, second paragraph, is totally untrue, misleading and fraudulent. This is one of the obvious reasons I alluded earlier that the credibility of Hunstein Holdings is questionable, because the true representative landowner company was April Salumei Resources Pty Ltd. Even then, the FMA is not a deal between a landowner company and PNGFA but a deal by the 163 ILGs and PNGFA. That is always the legal procedure under the Forestry Act 1993. Hunstein Holdings forged and fraudulently re designed the FMA to suit its existence and claimed to be the landowner company in this process.
I was then the Divisional Manager Forest Planning with the Papua New Guinea Forest Authority and was very wary about accepting bogus landowner companies, which Hunstein Holdings was classified under. I have a file of documents which relates to some fraudulent actions applied by the chairman of Hunstein Holdings.

The FMA signed then in 1996 should not be used now as a REDD project agreement on April Salumei. The time has lapse of 13 years and thus kids born then were not included in the current REDD arrangement and some old folks by now have passed on. I would strongly recommend for a separate REDD agreement similar to FMA but with a content of: comprehensive landuse plan, accurate carbon stock, value of carbon stock, well investigated and registered ILGs, Carbon calculation based on how much land and forest carbon a clan holds than on population and a very comprehensive benefit sharing arrangement to name a few.

The issue of wildlife management area (WMA) being imposed over the FMA and was being challenged by landowners was in fact handled by Hunstein Range Holdings with the view to obtain compensation from the Government for lose of income by conserving the WMA over the FMA. This is an inconsistent move by Hunstein Holdings to support logging by challenging the Government who imposed a WMA as a conservation strategy. This creates uncertainty on Hunstein Holdings part as to where its objectives are.

Hunstein Holdings has already being paid some amount of compensatory money claiming to represent the entire April Samumei but to date the money worth about K600,000 has not been distributed to the landowners in the ILGs which it meant to represent. I have records of payments of this bogus claim.

It is now holding to another claim as indicated in page 39 that K58,317,000 is still pending for payment. Whether this is a legitimate claim for mis opportunity or case of “sitting on a fence and double dipping” is another matter for investigation.

In page 40, second last paragraph, “there are no other disputes………” is again false as what Iam concern here may be a vital clue to what is yet to be a reality about the projects future viability. Hunstein Range Holdings has never been officially allowed and mandated by especially the people from Wagu, Yigai, Gahom, Niksek and Samsai region to sign their rights up with the project developer. The majority of these people were in the villages when a couple of individual opportunists were flown down to Port Moresby by Hunstein Holdings through borrowed finances from few PNG Businessmen to sign a quick cover deal with the first broker, South Pole. After realising that signatures and perhaps a deal was concluded certain funds may have been released to send some people purporting to be consultants of the proponents to collect rest of the signatures. Unfortunately, only some ignorant landowners signed up but most didn’t. Those that didn’t sign were the Wagu, Yigai and Gahom, Nigiru, Namu, Niksek the areas which I worked on and advised them not to sign deals when they do not have a literate person who can interprete what they may be signing. These people have still not signed.

A point to stress here is, when signing ILGs is not signing an agreement for a full blown carbon project. ILGs signing is merely an exercise to show that the land that an ILG holds in that community belongs to that ILG. To participate in a project of Carbon trade, I strongly recommend a Project agreement must be designed.

The point I pose here is, what is signing a piece of paper that is not being well understood by the landowners mean as an agreement. That to me is not a free and prior informed consent material and therefore is contestable in court of law as I have experienced with the earlier FMA version of April Salumei and other similar documents.

Another point I would pose is that there are many outstanding money owed by the chairman and Directors of Hunstein Holdings who are currently demanding that they be paid up urgently. The way in which this project has been fast tracked demonstrates that urgency. However, the real issue is yet to be uncovered and that these Creditors have outstanding debts worth millions of dollars to be paid up. I as a landowner will not allow this as I didn’t consent to Hunstein Holdings to make these un supported willing and dealings at the first place to end itself into such a debt ridden situation.
To sum up this section, the credibility of the Hunstein Holdings and its leadership is very much in question and I recommend strongly for the validation process to show guidance by recommending to sidelining this holding company and replace it with a new well represented and credible landowner management company.

G 1.7 Current Biodiversity within the Project Zone

The biodiversity information here is very skimpy and unworthy of an area which has had so much biodiversity and so many biological expeditions taken place (Lidermann, 1887; CSIRO, ..., Takeuchi, 1989, 1996, 1997, 2000), Takeuchi and Golman, 2000).

The table of flora and fauna in page 42 - 46 is unfortunately based only on YembiYembi and Yerekai which is mostly at the swamp forest and only one section of the entire April Salumei. This is not true representation of the flora of the area. Where is the credible source of this data (Was there a study undertaken on this area and where is the report? If a report was written can a proper referencing be placed in this PDD for reviewers to trace?)

G 1.8 Project Site High Conservation Area

Same as G1.7

Page 52 – 55 shows a table with a long list of cultural, religious and biologically significant sites. This list unfortunately, is specifically describing the sites on Salumei side of the project and none in April portion of the project. This is very unrepresentative data and that means some more work is necessary for comprehensive list of species.

G 2. Baseline Projections

G2.1 Baseline Land Use

This section of the PDD is not satisfactorily answered. The threats described here are only assumptions not drawn from a field research standpoint. It would be crucial to undertake a participatory resource and land use planning to identify the likely land activities to be undertaken by landowners as opposed to desk top assumptions. If a proper field work survey was carried out I do not think this assumptions would agree with reality on the ground, as my study had proven otherwise (Golman, 2008).

In Samsai Niksek region, there were clearly 6 major landuses being identified as landowners choice of activities. These landuses will be pursued as multiple use of the Samsai Niksek’s landuse priorities and shouldn’t be objected as these are their own plans as a bottom up process. Bottom up participatory planning must from hereon be part of developing carbon and REDD project in PNG as there is no other way to progress this agenda.

To subject landowners to provision of carbon storage project alone is to say that their other rights to their valuable forest will be restricted for the next 20 years. That will not be feasible and amounts to bridging of the basic rights of the landowners.

I’d rather see a proper field work study carried on this section to describe range of landuse scenarios.

Page 58., shows that reference point of the project is Vanimo FMA in West Sepik Province. I doubt if this reference point is as good as a point within April Salumei area. What is the basis of this reference point?

Page 60 & 61.,

The assumption in here that without the project, the likelihood of logging is therefore imminent. If the assumption of logging to take place in the 150,620ha, How about the other 344,000 ha of forest which will be left standing, who has the rights over these forest. Will the landowners have any subsistence hunting, gathering and agriculture on this portion of forest? If not where can they be accommodated in all of this scenario. How does the whole landuse being considered given that most if not all of the 521,000ha is “considered” to be locked for Carbon.
More detail analysis for baseline carbon stock is very critical. PNG Forest Research Institute has a good baseline forest inventory data for the entire country hence needed to be consulted to compile this section.

How do you actually qualify what really makes this region high in biodiversity values and a hot spot? Some credible data and sources inclusion in the section would have more weight to show proof of the endemism and uniqueness of biodiversity.

**G 2.2 Project benefits in the absence of the project and additionality (Page 60)**

The benefits in the absence of the project from studies that I undertook for Samsai Niksek is also genuinely good from multiple use stand point.

The statement in paragraph 1 is not true. There can be other landuses too besides logging. Oil palm is a threat but according to a study recently in Indonesia, oil palm’s economic value out weighs that of Carbon and therefore could be the next landuse to be considered. Furthermore, any form of landuses there will be subject to proper landuse assessment. As it is with this PDD there was no comprehensive land use study carried out to only suggest logging as the most alternative landuse in the absence of the project.

Paragraph 6 and 7 in page 60, discuss assessment of timber volume in 150,620 ha within the 521,00 ha. Therefore the calculation of Carbon was based on this area. The last paragraph then says; ‘the benefits the landowners will receive……..are additional” This additional benefits needed to be spelled out clearly from which area; is it within 150,620 ha or 521,00 hectares. With this information, clarity must be made through provision of maps with clear demarcation of relevant areas referred to in the text.

**G 2.3 Carbon stock change**

Page 62 & 63 refers to carbon calculation based on Tier 1 default figures of IPCC is very crude. A comment I would like to make here is that although PNG Forest Research Institute as some good baseline above ground biomass data, this information could have added value to this work. Furthermore to avoid using our own data and using default figures there is bound to be under estimation of the carbon stock. For example, merchantable timber volume and carbon were considered but what about the thick under growth of forest from 50 cm diameter and below. This work is currently being undertaken at Forest Research Institute (FRI) with a 100% remuneration of 10 hectare sample plot. Forest Research Institute is also undertaking soil carbon and litter analysis.

Page 65 para 2 refers to round log will not be removed.

From my PhD research, I have documented the removal of round logs for eco friendly small scale sawmilling activities for improving housing and living standards in the communities of Samsai Niksek. That is in their (landowners) plan but because I was not consulted as both a prominent landowner and an expert in forest management in April Salumei, that landuse has been overlooked in this PDD. I would strongly recommend that this scenario must be considered as it will definitely be part of the landuse thus will have an impact on the landscape in not too distant future. Having said that the land and what's on it is ultimately customarily owned, such project needs to respect that right and ensure any development objectives to be compatible with landowners’ priorities. That is what makes PNGs REDD(+) case very unique compared to other third world forest countries.

It would be more clearer to have two separate calculations to show how much carbon is retained; one for the 150,620 ha and the other for the remainder of 344,000 ha. It must be alerted here that not only 150,620 ha is prone to other landuses; even 344,000 ha can be subject to other landuses, that is the normal dynamics of PNG customary land ownership decision making.

**Page 70**

The two maps about landuse change are inadequate because they only refer to the past landuse but what about the future landuse predictions as what was suggested earlier in the text. Where are the areas for hunting, sago
gathering, gardening, artifacts, canoe and house building materials collection sites which are always culturally predominantly practiced. I am sure these cultural activities will be maintained but would increase in intensity given population increase. Apart from culturally important landuse activities, the economic climate in PNG currently will lead to pressure in the way local communities will make choices in what other form of landuses they will make better values out from than to stick to carbon value.

Page 71 –

The tables 10 & 11 do not make a good representation of the degradation of forest in April Salumei. The forest types and composition are completely different as seen in Forest Inventory Mapping (Quigley, 1996) and (Saunders and Hammermaster, 1993).

Page 72 –

The map 14 is repeated version of map 11 in page 59. All paragraphs in this page, I find very irrelevant to the point of discussion, i.e., the deforestation and degradation in April Salumei. They are either too broad or out of context and show lack of time and understanding of the subject. This section needs a good review.

Page 74 –

What does the table 12 mean? Would have been clear if there were some explanations done here.

Page 75 –

Table 13 is important but does not explain in detail what the break ups are in terms of different forest classifications and the areas assigned. The title of the table is misleading by the word “Gross tones of CO2” when infact the table refers to the area break ups.

Page 76 –

The map 15 here shows Landsat image with the boundary of the project site. Again, there is no explanation on what the data set refers to but the boundary.

Page 77 –

Map without explanation to say what are productive forest areas and what are non productive forest areas.

Page 78 –

Map without explanation to say why East Sepik resource are shown here.

Page 79 –

Map without explanation of what areas are shaded and why?

G 2.4 Page 80

There is a good example of different landuse scenarios for “Samsai Niksek “ region (part of April Salumei) which should be incorporated, but these have not been included.

Basically “without the project” scenario, it does not always have to be logging, although there is a threat. There are other very important landuses to be considered as earlier mentioned. My critical recommendation to this PDD is there
SHOULD be a full blown landuse for landowners as a baseline to identify their local landuse scenarios apart from logging. Otherwise, this document is providing only one option of development and that is a catastrophe waiting to happen, on all fronts. Proper identification and mapping of other landuses can safeguard the well intended purpose for allowing carbon project to prosper.

All the logging implications discussed here are surely the end result of FMAs not being planned and executed with proper landowner participation and landuse planning from the outset. If the landowners were to be fully engaged and participated from the beginning then the benefits would have been properly allocated to the legitimate landowners with infrastructural developments appropriately implemented.

Landowners participation in here refers to a well represented landowners groups through genealogical identification process and appointment of representative board of directors by those landowners through the ILGs.

G 2.5 Baseline biodiversity – Page 81

Net Positive Biodiversity Impacts

The “without-project” land-use scenario will have a very negligible effect on the biodiversity values as suggested by Golman (2008), because the landowners landuse scenarios are fairly sustainable, unlike the Government’s logging plan. Furthermore, since 1996 till now, if there would have been logging, this should have been implemented as soon as the FMA was signed. It took 13 years for REDD project to eventuat. If it wasn’t for the landowners concern that the environment and social impact out weighs the economic consideration, the FMA would have been logged in 1997. Therefore to assume that logging is a threat is an understatement or baseless prediction.

Contrary to the statements of page 81 paras 1 -5, within the execution period of FMA a Wildlife Management Area (WMA) (220,000ha) was created in the centre of April Salumei FMA. This area was gazetted and is still in effect to date and therefore under this arrangement certain ecological, cultural and community enterprise values were identified and registered for implementation as landuse of WMA. Ironically, these considerations were overlooked in this PDD.

G 3. Project Design and Goals

G3.1 Major climate, community and biodiversity objectives

Apart from all these objectives, I do prefer that the landowners are not by standers to receive handouts once again as other resource developments. They must be participants through organized groups and enter into business ventures either as contractors to develop community based projects and also to have hands on training to carry out spin off business developments. Therefore, this would mean some of their 521,000 ha to be free for them to undertake these projects on.

As a landowner myself and an elite in my community, I would very much appreciate to be allowed flexibility of how I want to use my 20,500 ha of land in terms of community eco enterprises and be able to organise my people to enjoy the birth right of my fore fathers.

4 The statements are alluding that there are no other landuse options but there are few others as described in the WMA as well as study done by (Golman, 2008)
The conundrum that has not been well articulated and thought very well in this PDD is the fact that no opportunity cost has been estimated for the other community based enterprises that may be developed. These may include the use of minor forest products, environmental goods and services and community based land uses whereby their net income out weighs the carbon benefits especially on the remainder of 344,000 ha and the buffers.

G3.2 Major Project Activities
The major project activities described herein are so far acceptable but would need further refinement and addition along the process.

G3.3 Location of Project Activities
The location for the Project has been well chosen in Ambunti.

G3.4 Time-frame and Project Accounting
This project was done in a rushed manner hence the time for consultation was very minimal. Certain prominent landowners and elites of this project area were not consulted as to how the project will be undertaken until this validation process began. This is not proper and responsible stakeholders must be made wary of the pitfalls that may arise due to such disorganization and lack of consultation.

G3.5 Project Risks and Mitigation Measures Page 92
The development of commercial mining in the region is definitely a threat as there are no indications so far but from OK Tedi Mine’s experience, tailings may be dumped into the main Sepik River system. If that becomes a reality, then there is a great cause for concern to the environment of the April Salumei project.

As stated in G3.1 there must be flexibility in the project area for community landuse projects, eco enterprises and environmental services.

G3.6 Maintenance of high conservation values
There is currently a Landowner Foundation called Samsai Niksek Forest and Carbon Foundation which is founded by Dr. Martin Golman (PhD) and its main objective will be to undertake research in the sustainable management of the forest and biodiversity of the April Salumei project. Dr. Golman has 25 years experience in sustainable forest management in PNG, did his PhD thesis on multiple use forest modelling and integrating landowners values in the management of Samsai Niksek forest of April Salumei. Dr Golman is also a prominent landowner of Samsai Niksek thus his foundation should be engaged fully in undertaking follow up research, monitoring and evaluation of carbon stock, general sustainable environment and forest management of the project. The foundation has other prominent forest scientists and the PNG Forest Research Institute will be supporting it with additional forest ecologists and biologists.

It is also worth mentioning that Dr. Golman has been involved in a biodiversity plant identification and planning research with Dr. Wayne Takeuchi over the past 5 years and had considerable data bank to base the current biodiversity classification and mapping of the forest in April Salumei. Infact the research was funded by the National Science Foundation (NSF) with a number of papers published.

G3.7 Measures taken to enhance climate, community, biodiversity benefits
No comments

G3.8 Stakeholder Involvement
There are issues relating to 163 Incorporated Land Groups (ILG)s which had been included in the FMA, whilst the 30 ILGs which were excluded during the FMA process but have now being included to add up to 193 ILGs. The issues are:

1) The April Salumei boundary map has not been adjusted to include the 30 ILGs
2) The FMA document is about logging and has no proper description about carbon and related landuses to ensure landowners or ILGs sign their legal rights over these uses away. I didn’t as an ILG representative and am concerned as to who had done so if I didn’t sign a Carbon or REDD+ agreement.

3) The FMA is 13 years old and as such has become outdated whereby young generation of 1-13 years kids not being included. Apart from these kids, we have after 13 years deaths of old age persons which may render the FMA with “ghost” names which will be difficult to validate for payments.

4) The Hunstein Holdings Limited is unfortunately a false landowner company not being legitimately appointed by the legitimate ILGs as the PNG Forest Authority’s record has proven from 1996 landowner company’s meeting minutes.

5) Further action ought to be done on this issue prior to the implementation of the project as if nothing is done, there will be dissatisfaction by most landowners.

Section G4. Management Capacity and Best Practices
In page 102, under the Rainforest Management Philosophy of shared outcome states; “...financial outcomes are shared fairly and in accordance with legal agreements thereby ensuring ethical and sustainable outcomes” has an implication. I see this as an unfair treatment to those with larger property of forest to be given fair financial outcomes like others with smaller forest cover. This may not be correct from the principle of proportion and scalability of the size versus monetary benefits to the respective landowner (ILG) properties.

As it is, the larger the size of land and forest cover the greater the value is for the carbon hence the lesser the size of the land and forest the lesser the value is. If this principle is not adopted, the other most feasible approach would be all ILGs should be expected to offer equal portion of their forest cover for carbon accounting whilst those that have additional areas might like to use that additional area for other landuses or gain additional credits. This recommendation needs further research and adjustment should be done accordingly.

Section G4.2 Technical and Management Expertise
This section promotes and discusses the need for having a good team of people on the project management team. Unfortunately, those who were initially involved either deliberately or by default overlooked myself as an expert in the field of forest and environmental science and a landowner. I am recommending strongly that I be involved from here on. However, as an elite and a prominent landowner in this community I would recommend further that as a overseer foundation is now in place, called Samsai Niksek Land and Forest Carbon Foundation, this Foundation should be directly engaged to undertake field resource inventory, carbon stock updates and monitoring the over all sustainability of the forest environment and the flow of community benefits. As stated in G 3.6 the foundation has the enabled scientific capacity, previous data bank and modelling of the area, and importantly wealth of local community knowledge of the area.

I might add there are other elite landowners who may have to be included. Dr Clement Malau, the Health Department Secretary is an important asset who was also overlooked for any consultation in this project. I recommend that he be consulted constantly as a landowner and an expert in public and community health who can contribute immensely to developing a credible health facility in the project area.

Section G4.3 Capacity Building
It is strongly recommended here that the Samsai Niksek Forest and Carbon Foundation be deeply involved also in the building local capacity as there is already existing technical and leadership capacities in this foundation.

Section G4.4 Equal Employment Opportunities
What is EEO policy referred to in here. If there is one, that should be now circulated widely to the critical mass of the April Salumei REDD population.
G 4.5 Employment Laws
Employment Laws and the comprehensive employment induction booklet referred to here should be widely circulated to the project landowners and stakeholders.

G 4.7 Employee Safety
Any documents referring to employment safety must be circulated widely as above.

G 5.2 Documentation of legal approval
As discussed G 3.8 above, Hunstein Range Holdings is a un representative landowner company which needs to be dissolved and a new Landowner Company be legitimately appointed. The process has been created in which PNG Forest Authority conducted a meeting in August 1996 to mobilize ILGs and form a Landowner Company. The company was named April Salumei Resources Pty Ltd, the Chairman was Mr. Philip Wablasu. The records of minutes of the meeting are all in PNGFA files.

G 5.3 Free, Prior, and Informed Consent
This is not quite right. The landowners have not given their free, prior, and informed consent on two fronts;

1. to Hunstein Holdings who is said to represent them in the execution of an agreement to undertake logging then and so Hunstein Holdings has proceeded on its own consent;

2. to allow Carbon and REDD+ project in the area in 1996. An FMA was consented to by the ILGs then to undertake Forest Logging operation. There was no deal then for carbon. I would strongly recommend a proper Carbon and REDD agreement be formulated immediately. Otherwise, use the current FMA as a bridge towards re designing a REDD agreement in due course and incorporate updated ILGs for the entire project area.

G 5.5 Illegal Activities
This section calls once again for a proper landuse planning. Until landowners plan what landuses they foresee to be legal and illegal than such clause as G 5.5 can be very clear for execution. As it is, this will not be properly monitored.

G 5.6 Carbon Rights
Para 3, page 116; The 30 additional ILGs will need to be mapped in and re calculation of carbon stock be done. This is in record from PNGFA that the 30 ILGs area was excised then and not re mapped since.

Para 4, page 116; From record, non of the 163 ILG’s have confirmed in writing that they have consented to Hunsten Range Holdings in executing FMA agreement with the project developer.

If there was a separate project agreement executed between Hunstein Holdings and the project developer, then it is strongly recommended here that this document be made known to all the 163 ILGs signatories.

Climate Section CL1. Net Positive Climate Impacts
CL 1.1 Net Change in Carbon Stocks

Most of the data here are taken from IPCC guidelines and are at this stage under tier 1 category. This calls for immediate work be done in collating and analyzing some of the data available here at PNG Forest Research Institute (FRI). I strongly recommend that this work be now assigned to FRI to undertake.

I would strongly recommend this section’s calculations be modelled and graphed in before explanations are provided.

CL 3. Climate Impact Monitoring
CL3.1 Carbon Pool Selection and Monitoring
As suggested earlier, the Samsai Niksek Land and Carbon Foundation has credible capacity and can be able to do the carbon assessments and monitoring the carbon fluxes through on going field research. Forest Research Institute also has the capacity because currently under the ACP/EU collaborative project, it is undertaking a 10 hectare carbon assessment both above and below ground.

**GL2. Exceptional Community Benefits**

*Pages 141 – 142:*

In last paragraph of page 141, the suggestion of the structure of the benefits from the project is given. I am recommending here that all the 80% of the benefits due to ILGs be channelled through the 163 ILGs for now. These ILGs should by now be advised to have bank accounts created and linked with automatic money pay system of the bank nominated by the developer. Identification cards be issued likewise to the ILGs. In the event that we have sorted out a legitimate Umbrella company through legal means, then there is room for allowing other entities to be created with collective consent and decision. In the meantime, for project development and infrastructural benefits, a selected highly credible landowner representatives and the Project developer should oversee.
**Comment 4**

Date: 23 July 2010  
Sent by: Nigel Hughes, CEO Green Light Trust, UK

Green Light Trust Response to April Salumei PDD – June 2010


“No I have not seeing the 144 page documents. It was not showed to the village of the Hunstein Range.”

Kaku Yafei, Wagu village leader said on his culture exchange visit to the UK, 22 July 2010

“No gat people long Hunstein Range ino lukim copy bilong project design (PDD = 144).”

Said Maui Wapio, from Wagu on July 22 July 2010

“So long tingting bilong mi, mi ino hamamas lang ol dispel lain” – Pamila Wahiyu from Yigai on 22 July 2010

“Comment is that some people hevi for carbon, some not hevi because we can’t know that it is good or bad” – Raymond John, from Bitara. 22, July 2010

“No we have not seen this document. We have not seen a copy of the 144 Page Document. Because we have no internet and no one has ever seen it.”

Veronica Wipu, from Kagiru, 22 July 2010

Introduction

Green Light Trust is an environmental charity established in 1989, based in Suffolk, England.

Based on our twenty years close relationship with some of the very villages you are referring to and our own research with some of the key rainforest experts we are regretfully in a position where we have to conclude that there are sufficient inconsistencies and gaps in this study to reassure ourselves that your approach is not robust enough.

We look forward to a direct dialogue to help bridge these gaps.

We are a stakeholder in the Hunstein Range (HR) where since 1990 we have been running a Global Kinship cultural exchange programme with five villages in the project area. Our members visit and stay with local people on a regular basis and we have funded annual cultural exchange visits between HR and UK – though these have become less frequent since 2003 due to our concerns over carbon emissions. We are currently (July 2010) hosting a three week cultural exchange visit to the UK by representatives from four of the five partner villages. (see appendix for more detail of our cultural exchange). This Culture Exchange visit has been part funded by IIED (International Institute for Environment and Development).

Our CEO, Nigel Hughes is a member of the Prince of Wales Corporate Leaders Group on Climate Change part of the Cambridge University Programme for Sustainability Leadership

To put our response to the PDD in context Green Light has seen a steady flow of N.G.Os arrive and depart from the Hunstein Range over this twenty year period. We have worked closely with local organisations such as E.S.C.O.W., HELP Resources and BauaBaua Theatre Company. We have supported local people during the development of the Landowner Association and subsequently in relation to the W.M.A. and the W.W.F. managed Sepik CLC project.
Carbon issues are central to our work in the UK and we support the principle that well devised and well managed Carbon forestry projects in PNG have the potential to provide benefits to the communities and landowners in the forest.

Key Comments on the PDD

Awareness
PDD Page 114/115 - The need for landowner consultation and awareness was addressed with comprehensive awareness campaigns.
(Detailed dates of meetings – see Page 115 Record of awareness and Community Consultation Meetings)

Comment – We have consistent evidence from our partner villages in the project area that these meetings were not appropriately delivered. Following the projects’ May 2009 Awareness meetings held in Wewak, Yaraki, Wagu and Begapuki a WWF Pacific field researcher stayed in four communities (Niksek (also known as Paka), Begapuki, Kagiru and Wagu on the April River over a two week period in June/July 2009 and reported:
“...many landowners complained of being strong-armed into supporting the project during this visit despite having little to no idea of what it involved. People were told ‘We are not here to answer your questions; we just want to hear yes or no about the carbon project’. Village meetings were filmed, and cameras switched off when criticisms or concerns raised.” (Leggett M. 2009 pp. 1)

Informed Consent
PDD Page 8 The land is owned by 163 Incorporated Land groups (ILGs) who have all given Free Prior and Informed Consent consistent with the UN Rights of Indigenous People.

Comment From our direct contact with representatives from four villages in the project area during June/July 2010 we have been informed that this is not the case.

Consultation / Appropriate form of Media
PDD Page 97
The document (PDD) will be also available to the public in hard copy during the public comment period, at our offices and will afford local stakeholders an opportunity to raise and address any issues.
A final awareness trip was conducted in June with a copies of the PDD circulated to all stakeholders for comment.

Comment: We do not believe that making the PDD available at either RPM or HRH offices (in Port Moresby?) – And publication of the PDD on the website enabled either information or the opportunity for comment for the local people in the HR project area. We note the distribution of a project booklet to all ILGs (PDD p96) though it is not clear what information this contains - or if it invites comment.
Literacy levels in English and Tok Pisin, the cost of travel, the difficulty and cost of both computer and internet access are barriers to raising issues for all except a tiny minority in the project area. The CCB standards state that communities be informed through appropriate forms of media - this does not appear to have taken place during the public comment period

Hunstein Range Holdings
PDD Page 24. There are significant cultural ties between the tribes that have formed the landowner companies and ultimately HRH.

Comment: Cultural ties are important. We also understand HRH (Hunstein Range Holdings) Director Jackson Yagi, is in charge of a situation where he stands to make considerable personal profit. Previously Jackson Yagi appears to have profited at the expense of the landowners during a court case for loss of earnings instigated when a large tract of the FMA was converted into a WMA (Leggett M. 2009 pp. 3)

Local management & project implementation (PDD Page 100)

PDD Page 108 In terms of the specific aspects of our training program we propose to assist in the development of individuals based both in Port Moresby and at local communities. Our internal education programs will target skills required for three broad areas of staff engagement:

- Project Superintendent
- Standards – Local Measuring and Monitoring
- Projects – Local management and delivery

Comment: While management expertise is essential. Training and capacity building need to be focussed on potential staff from the project area. There are many people who have acquired skills such as monitoring, leadership and facilitation through voluntary and paid work for previous projects such as the WWF’s 5 year Sepik CLC. Others through connections with small business, WMA, Church, youth and women’s groups have all developed home-grown leadership skills. Based on our observations and experience of communicating with a succession of ngo projects working in this area since 1990 employment of staff from the East Sepik province and where possible the immediate project area will minimise cultural tensions and help to reduce the problems of staff retention and turnover.

Community Stewards

PDD Page P132. There will be two local people per village over 500 inhabitants, employed and trained by the foundation to monitor, observe and report at a local level.

Comment: Setting this population threshold for communities to qualify for Steward “status” would result in a very small sample of data for the project area. PDD Page 36 draws on the 2009 census citing 15 villages in the project area of which only 3 have a population of over 500

Funding Criteria

PDD Page 96 – refers to the project assessment policy (presumably a separate document)
PDD Page 10 - The landowners are able to apply for funds to establish sustainable projects in the area through a transparent and well supported process.

An independent governance committee comprising three independent and appropriately qualified people will be formed to ensure the landowner funds are not misused or unfairly allocated.

Comment: See comment on ASF below. Local community and ILG representation would be desirable. The criteria for funding disbursement from the April- Salumei Foundation and the mechanism for the management of this system should be clarified to ensure that landowners have a full understanding of the proposed system prior to the further development of the project.

April Salumei Foundation

PDD Page 99 The April Salome Foundation Board of Trustees is responsible for the selection, and funding of projects with the proceeds from carbon credit sales. Landowners will submit project
proposals to the foundation for funding. Once approved the foundation will then provide the funds for the project. The Board of Trustees includes a representative from the Landowner Company.

Comment Each project area should have its own representative council made up of elected members from all communities in that region. Members of the council should live within the region. An elected executive council, made up of members from each project area, should be in control of all management decisions regarding the project, and should sit on the board of the management company, if one should exist. The management company should be regionally based. (Leggett M. 2009 p.5.)

Health Education
PDD Page 10 A total review and analysis of the health and education needs of the local communities will be undertaken at the request of the local people.

Comment: Ngo’s, regional government and local missions and health agencies working with few resources have been addressing these needs in the area for at least 25 years, The proposed review and analysis may not be the best use of funds. Support for the direct delivery of regular health programme and aid posts in the villages, a Marasin Meri type programme through existing agencies such as Apo and HELPP resources would be of more immediate relevance

References

WWF Pacific - Preliminary research findings Carbon Trading in the Hunstein Range (Leggett M. 2009)


24 July 2010

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Re: Comments on the Project Design Document of April Salumei, East Sepik, Papua New Guinea under the Climate, Community and Biodiversity Standards

Dear Coordinator

Please find attached Carbon Planet’s comments on the Project Design Document (PDD) of “April Salumei, East Sepik, Papua New Guinea” under the Climate Community Biodiversity (CCB) Standards.

A total of eight (8) comments have been made and are associated with the net harvestable area, identification and justification for the baseline scenario, estimation of net positive climate impact, forest stratification, use of inventory data, monitoring of the carbon stock and overall general quibbles.

We commend the CCBA and express appreciation for providing the public with the opportunity to comment on the PDD as part of the global stakeholder consultation.

Yours faithfully

Dr Sunil Sharma¹, Dr Samuel Phua²

¹ Corresponding  
² Director, Origination Technical Operations
CP-Issue 01: Net Harvestable Area
The first paragraph on p. 13 specifies the total area of 521,000 ha with the net harvestable area of 150,620 ha. However, the PDD does not specify how the net production area has been obtained and also does not refer to any maps.

CP-Issue 02: Identification and Justification for the Baseline Approach

(i) The threat to the forest in the Project Area is not convincing and the PDD contradicts itself. On p. 39 the PDD states that “Although negotiations were held over the concession it was never awarded to a third party.” It clearly implies that the harvesting agent had never been identified for this Project Area. For a logging threat to be credible, the harvesting agent must have been identified and its operations sanctioned by the relevant authority. The harvesting agent responsible for the logging operations must demonstrate its harvesting capability (and capacity) in terms of technology, financial and manpower.

(ii) This PDD has claimed this carbon project as “pilot REDD project” on p. 39 and also states the baseline scenario on p. 5 as “Without the proposed REDD project the area 150,620 ha of the project area would be harvested.” This sentence implies that the “proposed REDD project” is the baseline scenario for the Project Area. First, this PDD has not adequately followed the CCB standards on p. 14 which states “The project proponents must develop a defensible and well-documented ‘without-project’ reference ...”.

(iii) In addition, the PDD author/developer is not clear regarding REDD concepts at all, because they have applied REDD to the Project Area where the forest is legally sanctioned for selective logging by the relevant authority. The CCB standards have mentioned improved forest management as one of the category for the carbon project in the Section G2 Baseline Project on p. 14.

(iv) REDD has been defined as stopping emissions from deforestation and forest degradation as a result of planned or unplanned deforestation or forest degradation leading to forest land use change to other land uses. Implementation of a Forest Management Agreement (FMA) does not come under the scope of REDD as the harvesting operations abide by the principle of sustainable forest management and does not change the forest land use to other land use. We have developed our understanding that the FMA falls under the scope of an improved forest management category where forest land remains as forest land. Hence the justification for REDD as the baseline scenario for the proposed carbon project is not correct.

CP-Issue 03: Estimation of the Carbon Stock in the Baseline Scenario

(i) This PDD estimates the carbon stock in the Project Area based on tier 1 using the IPCC default values. Since this project has defined project boundary in the specific region in PNG and also has identified the forest types, tier 1 default values should not have been used as it is neither considered an accurate nor a conservative approach at the project level. The CCB standards also require an assessment of the carbon stock based on the locally derived data before the start of the project (CCBA 2008, p. 14). Since the project start date is stated as June 2010 on p. 91 of the PDD, the estimation of carbon stock must be obtained from the direct measurement of the parameters for carbon pools in the sample plots, within the stratified forest, to comply with the CCB standards.

(ii) It is good to see the categorization of the forest area according to the forest types in the Project Area. However, this PDD applies the same IPCC default value for the estimation of carbon
stock for all forest types which is practically not justifiable and acceptable at the project level. This PDD does not consider using country specific data for these forest types which would be more accurate and applicable to the Project Area.

(iii) The carbon stock change for emissions avoided under the baseline scenario on pp. 61 – 66 provides steps as suggested by 2006 IPCC Guidelines for National Greenhouse Gas Inventories. Although the method is based on the carbon gain and loss method, the assumptions made are not practical or credible, hence not applicable. Therefore wrong carbon sinks and sources were applied to the calculations. For example, the PDD assumes that there will be no removal of round wood under the baseline scenario which contradicts with the baseline scenario of logging operations - which would occur in the absence of the project scenario. The carbon emissions under the baseline scenario is associated with the harvesting of trees in the Project Area. This PDD has been written to implement a carbon project which eventually stops logging operations, the baseline scenario, which would occur if there is no carbon project, and hence, avoids carbon emissions from the Project Area.

CP-Issue 04: Estimation of the Net Positive Climate Impact

The CCB standards on p. 22 state “The net change is equal to carbon stock changes with the project minus carbon stock changes without the project (the latter having been estimated in G2)”. However, this PDD has presented the same calculations for the estimation of the net positive climate impact as to the carbon stock in the baseline scenario on pp. 61 – 66.

CP-Issue 05: Forest Stratification

Forest stratification is a primary requirement for assessing forest resources through the provision of forest inventory. This PDD is silent about forest stratification for estimating and monitoring of carbon stocks in the Project Area. Nevertheless, establishment of sample plots in stratum have been mentioned in Section CL 3.1 without discussing the forest stratification. In order to complement the monitoring and the actual and conservative estimate of the carbon stocks, the forest area must be stratified and measured in the sample plots at the strata level.

CP-Issue 06: Use of Inventory Data

On p. 36, it is stated that “In order to sign a legally valid Forest Management Agreement (FMA), the landowners must also reach an agreement with the PNGFA concerning the forestry inventory. The forest inventory outlines the amount of extractable timber, protected areas, population areas and transportation possibilities. This has also been completed as evidenced by the inventory survey included in the FMA.” If this is to be true, there must be an inventory report or data for the Project Area. Surprisingly, the inventory data have not been used for estimating carbon stock in this PDD. Instead, the “easy” way of using tier 1 IPCC default values was adopted (see also CP-Issue 03 (i)) - yet adopted wrongly (see also CP-Issue 03 (ii) and (iii)).

CP-Issue 07: Monitoring of the Carbon Stock

The monitoring of the carbon stocks in the Project Area has been proposed through the measurement of trees in the sample plots. It is not clear how the measurement of carbon stocks in the sample plots would validate the initial estimates of the carbon stocks using the default IPCC values. The monitoring plan does
not specify all the parameters for the carbon pools to be monitored and how they are to be measured such as: deadwood and fuelwood removals.

CP-Issue 08: General

The Preface section on p.5 states that “Papua New Guinea Government officially launched “The Papua New Guinea Vision 2050” in October 2010.” First, this sentence is grammatically not correct. Second, the stated document was launched on 18th November 2009. Please refer to http://www.publicsectorreform.gov.pg/pub.html

--- END OF CP-Issues ---

References

Dear Sir/Madam,

I should like to convey to you, as Executive Director of the Office of Climate Change and Development in Papua New Guinea, Papua New Guinea Government does not recognize and disavows any partnership, support, endorsement or any form of connection to the proposed April Salumei and Kamula Doso Projects.

I should reiterate what I published in the national dailies on Wednesday, 14 July, 2010, that Decision 55/2010 of the NEC sets out Government’s policy very clearly that “The Government’s positions (is) that voluntary trading of forest carbon is inadvisable and premature under present arrangements…” OCCD is bound by this policy. The NEC Decision 54/2010 established the OCCD and the National Climate Change Committee and empowered them to take full and exclusive responsibility of all policies and actions concerning climate change. The recently released report from the Prime Minister’s Office “Climate compatible development for Papua New Guinea”, sets out the framework for the OCCD’s actions, and calls for REDD+ demonstration projects as part of the development of the national REDD+ capability. In essence, these projects are to be approved by the OCCD, and are not intended to benefit from the voluntary carbon credits. They must be consistent with UNFCCC, the Copenhagen Accord and vetted by the Technical Working Groups within the OCCD. The Technical Working Groups have finalized criteria and to screen and vet demonstration projects.

Based on the above policy decisions, I have asked our lawyers to review the two projects proposals. I attached the finding so of their review, which shows them to be incompatible with existing PNG laws and regulations.

Regards.

Dr. Wari Lea Iamo
Dear Sir

ATTENTION: Dr Wari Iamo

REVIEW OF THE PROPOSED CARBON SEQUESTRATION AND DEAFFORESTATION REDUCTION SCHEMES IN PAPUA NEW GUINEA AND SPECIFIC CONSIDERATION OF THE KAMULA DOSA AND APRIL SALUMEI PROJECTS

Two Projects are proposed for carbon sequestration and reduction of deforestation. These are known as the Kamula Doso and April Salumei Projects. Both proposed projects proceed through phases initially seeking soft support to reduce deforestation and subsequently to commercialise sequestration for financial consideration. In this review, we refer to these activities generically as carbon sequestration schemes (Carbon Sequestration Schemes).

1. State of Law in Papua New Guinea on Carbon Sequestration Schemes

In reviewing practical aspects raised by consideration of the project design documents for the April Salamei Project and Kamula Doso, it is necessary to consider the state of the law of Papua New Guinea as applicable to any foreshadowed Carbon Sequestration Scheme.

All Carbon Sequestration Schemes based on forest sequestration depend on natural photosynthesis by plants, creating a “carbon sink”. For such schemes to take place, there must be certainty about two things – first, certainty of...
property created and secondly, the right of the person to deal in the item of property.

In the context of Papua New Guinea, this requires:

- Certainty of title to the trees which make up the carbon sink;
- Certainty of the quality/number of trees which make up the carbon sink; and
- Certainty of the capacity or authority to deal with the rights (whether called “carbon rights” or “carbon property rights” or any similar name).

It is important to remember that “rights” to remove carbon, while measured in relation to vegetation and dependant on it, are not part of any recognized land title. If anything, the law of Papua New Guinea, by adopting the English common law as it was found in 1975, may classify such rights as a “profit a prendre” – that is, at common law, a right to enter land belonging to another and take away something on or attached to the land. In other words, a right to something derived from the land, not a right to the land.

The proposed Carbon Sequestration Schemes comprise a trade in economic rights arising from a natural resource and a scientific phenomenon. While the categories of interests in land are not closed, the law of Papua New Guinea does not, at present, take account of any interest of the type of “carbon sequestration rights” which it is proposed to form the basis of these schemes.

Even if there is certainty of ownership of the land upon which trees stand vested in an identifiable party, if one is to create or alienate carbon sequestration rights arising as a result of the carbon sink created by the trees, one is separating those rights from the title to the land. This raises the issue that if a carbon sequestration right is to be of any certainty, the carbon sink upon which it is based must also be certain, verifiable and maintainable for the term of the sequestration right.

As the law stands at present, there is insufficient certainty of title to form the basis of a valid Carbon Sequestration Scheme – especially if the regime is to involve transactions in alienated, transferable and fungible rights.

To explain this assertion, it is necessary to examine the land title regime in Papua New Guinea at present. Land title consists of alienated governmental land (whether government land or leasehold land held by a private party), private freehold land and alienated customary land.

Approximately 97% of the area of Papua New Guinea is alienated customary land over which unidentified individuals of a certain customary group have

1 Schedule 2, PNG Constitution
2 Land Act 1996
3 See for example the discussions in Tukumuga Clan of Poreporena v. Administration of the Territory of Papua (1971)FC 18
4 Section 17, Underlying Law Act 2000
common ownership usufructuary rights based on custom alone. These rights do not extend beyond previously recognised custom and are not capable of being alienated. Land held under one custom cannot be dealt with in any way other than under that custom. Customary rights are heritable only within the “custom holders”. Custom is not uniform across all of Papua New Guinea’s 700 to 800 language groups nor is it necessarily uniform within language groups.

One aspect which unalienated land holds in common with registered land is that both are subject (although under different conditions) to the overriding right of the State to grant licenses to third parties to enter and traverse the land for the exploration and development of oil, gas and minerals.

Customary landowners are also capable of entering into forestry agreements with a forestry management authority or others, as well as to continue to use the trees for customary purposes – including clearing for food gardens. Any of these events would have, to a greater or lesser extent, impact on the volume of trees which make the carbon sink upon which the carbon sequestration rights are based.

The consequence of this is that, in order to be able to establish a valid scheme for creating a carbon sequestration right, and, thereby, alienable property capable of being dealt with, major legislative changes will be needed impacting both on the 3% of registered land and the 97% of unregistered land in Papua New Guinea.

At the very least, it would be necessary to provide for:

- Registration of ownership of all forest land to persons who are legally accountable for the land as owners and occupiers of it;

- The regulation of entitlements to use the forest predicated on the preservation of the forest and the relationship of such entitlements to preserve a forest with other land uses inconsistent with such preservation; and

- The establishment of legal machinery to bind future landowners/occupiers to carbon sequestration contracts made by previous landowners/occupiers.

It is beyond the scope of our instruction at this stage to examine the possible mechanisms for establishing valid property or carbon rights agreements and the regulation of any market in those rights.

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3 See for example the discussions in Tubunaungu Clan of Poreporena v Administration of the Territory of Papua [NTJ]NC 18
4 Section 37, Underlying Law Act 2000
5 Section 26, Land (Tenure Conversion) Act 1963
2. **Kamula Doso Improved Forest Management Carbon Project**

We have been asked to review the aspects of the **Kamula Doso Improved Forest Management Carbon Project** and note, at the outset, that there is substantive litigation in the National Court concerning this project. On 25 September 2007 the Court made Orders:

1. “The decision/resolutions made by the National Forest Board on or about 20 December 2005 in relation to the Kamula Doso Forest Development Project are stayed until the hearing and determination of these Substantive Judicial Review therein.

2. The National Forest Board is restrained from making any decision in reliance upon the Kamula Doso Forest Management Agreement in 1997 and from issuing granting or causing to be issued or granted by any relevant authority, any timber rights in relation to the Kamula Doso Forest Management Area whatsoever until the determination of this Judicial Review.

3. The National Forest Board is restrained from making any decision in reliance upon the “rectified” Kamula Doso Forest Management Agreement 1999 and from issuing, granting or causing to be issued or granted by any relevant authority, any timber rights in relation to the Kamula Doso Forest management Area whatsoever until the determination of this Judicial Review.”

Since that time another four defendants have been joined to the proceedings and these Orders are still in place.

The project document is extremely detailed but then brings to light certain major defects with the proposal. The major ones of these include:

(a) The project contemplates “resource allocation” to be carried out by a community development organisation. The essence of customary title is that it belongs to the custom holders and resource are not devisable or alienable outside the group. While it may be appropriate for a community development organization to allocate funds received, it is not possible for it to allocate resources held in customary title.

Especially is this so when what is contemplated as a resource to be allocated consists of a carbon sequestration right. There are 2 objections to allocation of carbon sequestration rights. First, it is an intangible asset not contemplated by any custom. Secondly, there is no custom for dealing with such a right.
(b) The law of Papua New Guinea (see *The State v. NTN & Anor* [1992] PNGLR 1) does not recognize the right to govern, as property, intangibles not capable of ownership. The Supreme Court, in the NTN case, stated that it was unwise to “graft legal concepts of property and ownership in an area of activity where it seems quite out of place”.

The Court, in that case, held that there could be no ownership of the electro-magnetic spectrum, though there was a right to regulate apparatus which gave access to it. By the same reasoning, as carbon sequestration is a phenomenon of nature, there can be no ownership of “carbon sequestration” or photosynthesis, though there can be ownership of vegetation which affects the quantity of carbon dioxide in the atmosphere.

(c) So far as the Kamula Doso Project is concerned, it proceeds on the basis that 52 Incorporated Land Groups can speak with one voice for a diverse population of at least 12 linguistic groups when no ILG can say that it is the exclusive representative of all its custom holders. So, when at page 16 the proposal speaks of a customary responsibility for “sale of carbon credit assets” it ignores the fact that it is proposing, essentially, to sell customary rights (the present and future use of customary forest) for a term of 80 years and alienate the rights of those of the custom holders (present and future) who have not agreed to this sale and, thereby, restrict their right to exercise their customary uses.

(d) The Statement on page 22 of the project proposal that the *Land Groups Incorporation Act* means that the clan is the driver of all land use and resource allocation decisions is misleading. The Act gives power to deal with the use of land (and ancillary matters) but land which is held as customary land is not capable of alienation under the present legal system. It is held in common by the present custom holders and on behalf of future members of the same customary group.

Indeed, the *Land Group Incorporation Act* Section 13 (3) states:

“(3) No right or interest in or in relation to land that is given by an incorporation land group to a person who is a member of the group is registrable under any law relating to the registration of land or of interest in land.”

(e) There is no right for any person to grant property interests to persons outside the group (except by way of a Forest Management Agreement and subject to the overriding power of the Independent State to issue licenses under the Oil and Gas Act and the Mining Act).

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7 This is because all persons must be participants in custom: these principles which are applicable to all rights in custom were explained in John Kaina v The State [1990] PNGLR 292.
(f) Registration of an Incorporated Land Group is statutory recognition of a corporate body which is capable of acting for the customary owners – it, of itself, is not the owner of land. It may give corporate status to a customary or similar group, but it neither adds to nor subtracts from the status of the customary holders – either as sum of the individuals members of the group or of any individual, since it is merely a vehicle of convenience through which the individuals act. It does not convey property existing in custom to the Incorporated Land Group.

(g) The establishment of a limited liability company (Tumu Timbers Development Limited) said to be owned for or by the 52 incorporated land group does not establish any right immutable for any term to represent the human individuals subsisting on land in accordance with custom. Each such individual is free to leave an incorporated land group and to say it no longer represents his interest and as his property interest continues to exist in custom, he will continue to exercise it in common with the other participants in the custom. The very fact that there has been extensive litigation involving the forestry in this area and the Office of Climate Change and Carbon Trade shows that this proposed vehicle (consisting of 52 incorporated land groups) is impractical even if there was a legal basis for dealing with the property which give rise to a carbon sink at this time.

3. The April Salumei Project

The proposed April Salumei Project Plan is set forth in a very detailed document which obviously required extensive effort to produce. It examines in detail matters of the project design and specifies the anticipated project benefit extensively. Like the Kamula Doso Project it purports to proceed with the best intentions for human and community benefits. It seeks an alternative source of income to logging to alleviate the economic and social disadvantages of the people in the area and, at the same time, to preserve the ecological diversity and value of the area and benefit the environment as a whole. The April Salumei paper has explored questions of project design and community development, capacity building, evaluation of carbon stock in clear and thorough detail. There are, however, two major problems with it which make this project non-feasible.

(a) The structure for dealing with customary forests involves an umbrella company, Hunstein Range Holdings, which is said to be owned by 4 landowner companies which are, themselves, said to be made up of and controlled by 163 incorporated land groups.

Our comments on the absence of proper corporate authority and probable conflicts within the organisation made in relation to the Kamula Doso Project apply also, and to a large degree, to the April Salumei Project.
The April Salumei Project also proceeds on the basis that it will be able to receive funds in return for carbon sequestration rights issued over the unalienated customary land within the project area.

We repeat our observations made above that, in the present state of the law of Papua New Guinea, there is no legal title upon which sequestration rights may be based.

We also repeat our observation made in relation to the Kamula Doso Project that, before it is possible to issue valid instruments establishing carbon sequestration capacity capable of being alienated and transferred to another person for consideration and thereby returning compensation to the customary owners of the forest, it will be necessary to have legislation in place:

(i) Establishing the registration of ownership of all forest lands to persons legally accountable for the land as owners and occupiers of it ("land" in this instance, must include unalienated customary land, as this is 97% of the surface area of Papua New Guinea).

(ii) Providing for the regulation of entitlements to use forests in ways designed to preserve the forest and the relationship of such an entitlement with other land uses which are inconsistent with the preservation of the forest (such as exploration and development of oil, gas, mining and forestry); and

(iii) Establishing legal machinery to bind future landowners and occupiers to long term contracts to sequester carbon made by prior owners or occupiers of land.

4. Conclusion

In conclusion, Papua New Guinea requires extensive legislation to be passed by the Parliament before it can implement any system to commercialise carbon sequestration in the forests.

Further there is no legal or other basis for the establishment of Carbon Sequestration Schemes in Papua New Guinea such as the Kamula Doso Projects and the April Salumei Projects. Both projects are legally untenable.

Until the legal regime in Papua New Guinea establishes a foundation for such schemes they are little different to a modern day version of the false prospectus for the Port Breton Colonisation Scheme issued by the Marquis du Reys and circulated through Europe in the late 1870's.
5. **Restrictions on Use of Observations**

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Should you have further queries, please do not hesitate to contact the writer.

Yours faithfully

Steven O’Brien
O’BRIENS