Comments received by the CCBA during the validation audit.

CCB Standards Second Edition

Project: **Kamula Doso Improved Forest Management Carbon Project**

---

**Comment 1**

Date: 14 July 2010  
Sent by: Isaiah Simaka, Beagua Resources Conservation Ltd.

On behalf of the silent majority of Kamula Doso Block 2, I, Isaiah Simaka, the chairman of Beagua Resources Conservation and Chairman of Swevy ILG Group, I testify to the best of my knowledge that I have never physically seen an officer from the Climate – Standards(Nupan) doing any form of awareness in Lake Murray. As I have over 80% ownership of land over Kamula Doso Block 2, I regret to announce that any statements of awareness by for Kamula Doso Block 2, is false and is illegal and as a chairman and Land Owner, with up to 80% of portions of land in Kamula Doso Block 2 declare all climate change activities there in stated area is illegal and void.

Can you physically come to Lake Murray and identify yourself there,

Regards

Isaiah Simaka
Comment 2
Date: 25 July 2010
Sent by: Dr. Wari Lea Iamo, Executive Director Office of Climate Change and Development, PNG

Dear Sir/Madam,

I should like to convey to you that, 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 DEAFORESTATION 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 Salumei 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 Tubamaga 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.

---

3 See for example the discussions in Tubamaga Clan of Poreporena v. Administration of the Territory of Papua [1971] FC 16

4 Section 17, 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.
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.

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.

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.”

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).

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.
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.

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 stocks in clear and thorough detail. There are, however, two major problems with it which make this project non feasible.

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.
(b) 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.

---

8 See generally the Report to the Colonial Secretary on Italian Immigrants. | Milbourne March, Water Police Magistrate and George F. Wise, Agent for Immigration, Government Printer Sydney 1881.
5. Restrictions on Use of Observations

This firm retains copyright to its opinion as contained in these observations. Your office and any person into whose possession these observations come are not authorized to reproduce our observations in any manner or to file them with any government authority or body charged with the administration of any law without our written permission.

Permission is provided to publish these observations with www.climate-standards.org, and to use these observations for the purposes of the proper administrative business of the Independent State of Papua New Guinea only.

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

Yours faithfully

[Signature]

Steven O'Brien
O'BRIENS
Comment 3
Date: 26 July 2010
Sent by: Paul Sasae, Wawoi Temu Holdings Ltd.

Dear Madam,

These comments are in relation to the ‘Kamula Doso Improved Forest Carbon Management Project’ in Middle Fly District, Papua New Guinea.

We submit the following to the assessors of the project under the CCBA Standard.

**Documents relating to the consent of landowners are fraudulent**

- The claim that Tumu Timbers represents the landowners and incorporated landowner groups (ILGs) in the Kamula Doso area are false;
- Many of the ILGs were made ‘shareholders’ in Tumu Timbers without their consent;
- A number of ILGs had their representative signatures forged for these purposes;
- These actions by Tumu Timbers and Nupan Trading has been fraudulent and illegal;

**Landowners have not been consulted; there has been no free, prior and informed consent**

- The claims made in the Project Design Document that there has been adequate consultation and engagement with the communities of Kamula Doso are completely false;
- The ‘consultations’ involved visits by government officials and white people;
- These white people coerced landowners and bribed landowners into signing documents they could not read and did not understand;

**We strongly object to this project and will not abide by its conditions**

- We will not exclude forestry and agriculture projects for the next 40 years;
- Doing so will jeopardize the livelihoods of many people in our community and in the generations to come;
- The project threatens food security and economic sustainability in our community;
- It will severely retard community development;
- The project threatens our basic rights as citizens of Papua New Guinea;
The project delivers no benefits for landowners

- The project states there will be no cash distribution for the first two years of the project;
- Are the landowners supposed to not undertake any logging or agricultural activity and not get paid for their efforts during this time?
- Unlike the logging projects the white people object to, this project delivers no infrastructure, community facilities or health and education facilities;

The only winners are rich white people and businessmen

- Rich countries should cut their own carbon emissions by selling their cars and turning off their electricity;
- We have neither of these and should not have to pay with our lives for these people's luxuries;
- The businessmen who will profit from this are suspected to take part in fraudulent and illegal behavior, including Filipino cockfighting competitions.

WE DO NOT WISH TO HAND OVER OUR INALIENABLE RIGHTS AND FUTURE PROSPERITY TO RICH WHITE CRIMINALS WHO ONLY WISH TO EXPLOIT WHAT IS RIGHTFULLY OURS.

Sincerely,

PAUL SASAE
Dawasi LG Chairman
Chairman - Waukoi Temu Holdings Ltd

Date 15th July 2010

Cc:
- The Managing Director, PNG Forest Authority
- The Hon. Secretary, Department of Environment Conservation
- The Hon. Secretary, Department of Agriculture
- The Editor, The National
- The Editor, Post Courier
- The PNG Correspondent, Australian Associated Press
Firstly I want to make it clear that I fully support the idea of saving the forest of Kamula Doso from logging and to preserve it for future generations, while ensuring sustainable development benefits for the local landowner communities. However, my main concerns are with the role of the project developer, Nupan Trading, and the agreement it has signed with Tumu Timbers, and with the unclear and at times contradicting explanations of the overall project governing systems.

General comments

- The process of obtaining “Free Prior and Informed Consent” of the ILG’s that do consider Tumu Timbers to represent them, to allow Nupan Trading to market their carbon credits should be investigated. The contract signed by Tumu Timbers with Nupan Trading marking Nupan as the exclusive carbon credit marketing agent shows a very non-transparent deal, with unknown benefits to Tumu Timbers.

- The Kamula Doso FMA is the subject of a court case, which makes the situation of its legal status regarding forest management options uncertain. Tumu Timbers can therefore at present not claim to be able to guarantee the conservation of the Kamula Doso forest area.

- There is no mention of P2 Foreword

- Claims the project is already dual certified by VCS and CCBS, which is not the case.

P11 Kamula Doso Forest Resource Owner and Project Implementation Partner

- There are several fractions of Incorporated Land Groups in Kamula Doso and it should be investigated if Tumu Timbers can claim to represent all ILG’s in Kamula Doso.

- The process in which the ILG’s have been established is questionable and should be investigated.

- Any major decisions on resource or land use have to be made at the individual ILG level, through meetings of all members and with the agreement of at least 75% of all members. These meetings should be documented and signed by the Chairperson of the ILG. It is not clear if these meetings have taken place and were part of “the many months of planning and consultation”.

- Any decisions made at ILG meetings have to be made through free prior and informed consent. It should be established who the mentioned “commissioned advisors” were and what their exact role and interest in the overall project is, and if this role has interfered with the ILG members decision making process.

P14 Implementation of Activities and Outcomes

- Phase 1 started in 2007 and specifies as one of its outcomes the identification of major stakeholders.

- “This phase marks the transition of control from the project developer to representatives of the communities. A Transition Board will be created to facilitate this process through extensive validation procedures.”
stakeholder consultation.” Why would Tumu Timbers want to transfer control to “representatives of the communities” if they claim they are representing these communities?

P15/16 Proposed Governance Systems and Institutional Mechanisms

- states that the Project Transition Board will be established in Phase 1, where on P14 it is stated this will happen in Phase 2

- what is the use of having ILG reps on the CDO Board if the Directors of Tumu Timbers are given the decision making control? And aren't the Tumu Timbers directors supposed to be ILG reps already? It does not seem to be “an appropriate structure” as the main decision making is not at the community level.

- Carbon Trust Fund: exactly how and by whom will this be governed?

P20 G1.4

- What level of ground sampling using which method has been done to validate the FMA forest inventory data? Was this data obtained from PNGFA inventories?

- How come there is no difference in “mean carbon stock in harvested biomass” for the 40 different land parcels?

P21/22 G1.5.1

- The explanation of the reasons for establishing ILG’s and their functioning is not correct, especially the section on the roles/power of the “custodian”. There is no such term in the ILG act.

P27 G2.3

- “It was determined the pre-existing forest inventory data were a conservative estimate of forest stocks”. In general PNGFA inventory data has proven to overestimate the actual forest stocks for FMA areas. What kind of ground sampling have the project proponents undertaken to confirm the accuracy of the PNGFA inventory data for Kamula Doso?

P36/37 Proposed Governance Systems and Institutional Mechanisms

- Transition Board: which key community and external stakeholders and how are they selected?

- There are contradicting or at least confusing statements about the governance system for the CDO

- Why is it not mentioned that Tumu Timbers has signed an exclusivity agreement with Nupan Trading on the marketing of the carbon credits from Kamula Doso? Now it appears that Tumu Timbers can still decide on this, while they have already signed away all their rights.

P42/43 G3.8

- Documentation should include official minutes of the individual meetings of all the ILG’s involved in which Tumu Timbers are accepted as the representative LOC of the ILG, in which forest conservation for carbon trading was agreed to, and the meeting in which Nupan Trading was accepted as the exclusive carbon credit marketing agency

- The mechanisms of the “Natural Resource Assets Management System” are not explained
MEETING MINUTES

Kamula Doso (FMA) – Comments are related to the KD improved Forest Carbon Management Project in Middle Fly District, Papua New Guinea.

Venue : Mr. Olabu’s rest house Makapa village.
Date : 20/07/2010
Start Time : 6:30pm
Ending Time : 11:00pm

Members present for the meeting:
1). Mr. Chris Talie - Chairman and Secretary
2). Mr. Olabu Tau - Director (KD)
3). Mr. Wiskey Maitona - Director (KD)
4). And 13 ILG Chairmen and Members
   (1) – a) – Pikiwa
   (2) – b) – Waepeya
   (3) – c) – Makapa

AGENDA:

1. To sign a document
2. Stop Carbon Management
3. Other matter

WELCOME:

The meeting started with a speech by the Director and meeting Chairman Mr. Chris Talie and acknowledges the attendance of the Clan Chairmen and members.

Agenda: 1. To sign a document.

With the first agenda Chris Talie briefed the content of the document and explained to the ILG Chairmen of three (3) villages Makapa, Wasepeya and Pikiwa. Mr. Olabu Tau added saying we must sign this document because we can not sell our rights out to people whom we don’t know. On the matter the Chairman said we will sign. Yauwe Walisie one of the Chairman said I will sign because I really don’t want to give my right out.

Agenda: 2. Stop Carbon Management.

On number two (2) agenda Chris Talie said since carbon Management did not have any policy and guidelines we should not talk about Carbon Trade. Yaiye Bosae the old man said, stop this people coming into our area Kamula Doso.
Agenda: 3. Other Matter.

In other matter Chris Talie briefed the whole issues and the landowners said we must make press statement and report to the media by Directors and Elders of Kamula Doso. Popae Bosae said we must tell the developer to fund us and we have to start making noise for our Forest Project must start. With this the meeting ended.
JOANNA DURBIN
CCBA
C/-Conservation International
2011 Crystal Drive, Suite 500
Arlington, VA 22202
U.S.A.

Dear Madam,

These comments are in relation to the ‘Kamula Doso Improved Forest Carbon Management Project’ in Middle Fly District, Papua New Guinea.

We submit the following to the assessors of the project under the CCBA Standard.

**Documents relating to the consent of landowners are fraudulent**

- The claim that Tumu Timbers represents the landowners and incorporated landowner groups (ILGs) in the Kamula Doso area are false;
- Many of the ILGs were made ‘shareholders’ in Tumu Timbers without their consent;
- A number of ILGs had their representative signatures forged for these purposes;
- These action by Tumu Timbers and Nupan Trading has been fraudulent and illegal;

**Landowners have not been consulted; there has been no free, prior and informed consent**

- The claims made in the Project Design Document that there has been adequate consultation and engagement with the communities of Kamula Doso are completely false;
- The ‘consultations’ involved visits by government officials and white people;
- These white people coerced landowners and bribed landowners into signing documents they could not read and did not understand;

**We strongly object to this project and will not abide by its conditions**

- We will not exclude forestry and agriculture projects for the next 40 years;
- Doing so will jeopardize the livelihoods of many people in our community and in the generations to come;
- The project threatens food security and economic sustainability in our community;
- It will severely retard community development;
- The project threatens our basic rights as citizens of Papua New Guinea;
The project delivers no benefits for landowners

- The project states there will be no cash distribution for the first two years of the project;
- Are the landowners supposed to not undertake any logging or agricultural activity and not get paid for their efforts during this time?
- Unlike the logging projects the white people object to, this project delivers no infrastructure, community facilities or health and education facilities;

The only winners are rich white people and businessmen

- Rich countries should cut their own carbon emissions by selling their cars and turning off their electricity;
- We have neither of these and should not have to pay with our lives for these people’s luxuries;
- The businessmen who will profit from this are suspected to take part in fraudulent and illegal behavior, including Filipino cockfighting competitions.

WE DO NOT WISH TO HAND OVER OUR INALIENABLE RIGHTS AND FUTURE PROSPERITY TO RICH WHITE CRIMINALS WHO ONLY WISH TO ESPLOIT WHAT IS RIGHTFULLY OURS.

Sincerely,

PAUL SASAE
Dawasi ILG Chairman /
Chairman - Wawoi Temu Holdings Ltd

Date 15 July 2010

Cc:

- The Managing Director, PNG Forest Authority
- The Hon. Secretary, Department of Environment Conservation
- The Hon. Secretary, Department of Agriculture
- The Editor, The National
- The Editor, Post Courier
- The PNG Correspondent, Australian Associated Press
Dear Madam,

These comments are in relation to the 'Kamula Doso Improved Forest Carbon Management Project' in Middle Fly District, Papua New Guinea.

We submit the following to the assessors of the project under the CCBA Standard.

Documents relating to the consent of landowners are fraudulent

- The claim that Tumu Timbers represents the landowners and incorporated landowner groups (ILGs) in the Kamula Doso area are false;
- Many of the ILGs were made 'shareholders' in Tumu Timbers without their consent;
- A number of ILGs had their representative signatures forged for these purposes;
- These action by Tumu Timbers and Nupan Trading has been fraudulent and illegal;

Landowners have not been consulted; there has been no free, prior and informed consent

- The claims made in the Project Design Document that there has been adequate consultation and engagement with the communities of Kamula Doso are completely false;
- The 'consultations' involved visits by government officials and white people;
- These white people coerced landowners and bribed landowners into signing documents they could not read and did not understand;

We strongly object to this project and will not abide by its conditions

- We will not exclude forestry and agriculture projects for the next 40 years;
- Doing so will jeopardize the livelihoods of many people in our community and in the generations to come;
- The project threatens food security and economic sustainability in our community;
- It will severely retard community development;
- The project threatens our basic rights as citizens of Papua New Guinea;
The project delivers no benefits for landowners

- The project states there will be no cash distribution for the first two years of the project;
- Are the landowners supposed to not undertake any logging or agricultural activity and not get paid for their efforts during this time?
- Unlike the logging projects the white people object to, this project delivers no infrastructure, community facilities or health and education facilities;

The only winners are rich white people and businessmen

- Rich countries should cut their own carbon emissions by selling their cars and turning off their electricity;
- We have neither of these and should not have to pay with our lives for these people’s luxuries;
- The businessmen who will profit from this are suspected to take part in fraudulent and illegal behavior, including Filipino cockfighting competitions.

WE DO NOT WISH TO HAND OVER OUR INALIENABLE RIGHTS AND FUTURE PROSPERITY TO RICH WHITE CRIMINALS WHO ONLY WISH TO EXPLOIT WHAT IS RIGHTFULLY OURS.

Sincerely,

TETERY BOBOWA
Sipso Tulumsa ILG Chairman

Date 20/07/2010

Cc:
- The Managing Director, PNG Forest Authority
- The Hon. Secretary, Department of Environment Conservation
- The Hon. Secretary, Department of Agriculture
- The Editor, The National
- The Editor, Post Courier
- The PNG Correspondent, Australian Associated Press
Dear Madam,

These comments are in relation to the ‘Kamula Doso Improved Forest Carbon Management Project’ in Middle Fly District, Papua New Guinea.

We submit the following to the assessors of the project under the CCBA Standard.

**Documents relating to the consent of landowners are fraudulent**

- The claim that Tumu Timbers represents the landowners and incorporated landowner groups (ILGs) in the Kamula Doso area are false;
- Many of the ILGs were made ‘shareholders’ in Tumu Timbers without their consent;
- A number of ILGs had their representative signatures forged for these purposes;
- These action by Tumu Timbers and Nupan Trading has been fraudulent and illegal;

**Landowners have not been consulted; there has been no free, prior and informed consent**

- The claims made in the Project Design Document that there has been adequate consultation and engagement with the communities of Kamula Doso are completely false;
- The ‘consultations’ involved visits by government officials and white people;
- These white people coerced landowners and bribed landowners into signing documents they could not read and did not understand;

**We strongly object to this project and will not abide by its conditions**

- We will not exclude forestry and agriculture projects for the next 40 years;
- Doing so will jeopardize the livelihoods of many people in our community and in the generations to come;
- The project threatens food security and economic sustainability in our community;
- It will severely retard community development;
- The project threatens our basic rights as citizens of Papua New Guinea;
The project delivers no benefits for landowners

- The project states there will be no cash distribution for the first two years of the project;
- Are the landowners supposed to not undertake any logging or agricultural activity and not get paid for their efforts during this time?
- Unlike the logging projects the white people object to, this project delivers no infrastructure, community facilities or health and education facilities;

The only winners are rich white people and businessmen

- Rich countries should cut their own carbon emissions by selling their cars and turning off their electricity;
- We have neither of these and should not have to pay with our lives for these people's luxuries;
- The businessmen who will profit from this are suspected to take part in fraudulent and illegal behavior, including Filipino cockfighting competitions.

WE DO NOT WISH TO HAND OVER OUR INALIENABLE RIGHTS AND FUTURE PROSPERITY TO RICH WHITE CRIMINALS WHO ONLY WISH TO EXPLOIT WHAT IS RIGHTFULLY OURS.

Sincerely,

[Signature]

SESAE BISAI
Haipi Doso ILG Chairman

[Signature]

Date
20/07/2010

Cc:
- The Managing Director, PNG Forest Authority
- The Hon. Secretary, Department of Environment Conservation
- The Hon. Secretary, Department of Agriculture
- The Editor, The National
- The Editor, Post Courier
- The PNG Correspondent, Australian Associated Press
Dear Madam,

These comments are in relation to the ‘Kamula Doso Improved Forest Carbon Management Project’ in Middle Fly District, Papua New Guinea.

We submit the following to the assessors of the project under the CCBA Standard.

**Documents relating to the consent of landowners are fraudulent**

- The claim that Tumu Timbers represents the landowners and incorporated landowner groups (ILGs) in the Kamula Doso area are false;
- Many of the ILGs were made ‘shareholders’ in Tumu Timbers without their consent;
- A number of ILGs had their representative signatures forged for these purposes;
- These action by Tumu Timbers and Nupan Trading has been fraudulent and illegal;

**Landowners have not been consulted; there has been no free, prior and informed consent**

- The claims made in the Project Design Document that there has been adequate consultation and engagement with the communities of Kamula Doso are completely false;
- The ‘consultations’ involved visits by government officials and white people;
- These white people coerced landowners and bribed landowners into signing documents they could not read and did not understand;

**We strongly object to this project and will not abide by its conditions**

- We will not exclude forestry and agriculture projects for the next 40 years;
- Doing so will jeopardize the livelihoods of many people in our community and in the generations to come;
- The project threatens food security and economic sustainability in our community;
- It will severely retard community development;
- The project threatens our basic rights as citizens of Papua New Guinea;
The project delivers no benefits for landowners

- The project states there will be no cash distribution for the first two years of the project;
- Are the landowners supposed to not undertake any logging or agricultural activity and not get paid for their efforts during this time?
- Unlike the logging projects the white people object to, this project delivers no infrastructure, community facilities or health and education facilities;

The only winners are rich white people and businessmen

- Rich countries should cut their own carbon emissions by selling their cars and turning off their electricity;
- We have neither of these and should not have to pay with our lives for these people’s luxuries;
- The businessmen who will profit from this are suspected to take part in fraudulent and illegal behavior, including Filipino cockfighting competitions.

WE DO NOT WISH TO HAND OVER OUR INALIENABLE RIGHTS AND FUTURE PROSPERITY TO RICH WHITE CRIMINALS WHO ONLY WISH TO EXPLOIT WHAT IS RIGHTFULLY OURS.

Sincerely,

[Signature]

SAMSON PATUWE
Alinapi Tulumsa ILG Chairman

20/07/2010

Date

Cc:

- The Managing Director, PNG Forest Authority
- The Hon. Secretary, Department of Environment Conservation
- The Hon. Secretary, Department of Agriculture
- The Editor, The National
- The Editor, Post Courier
- The PNG Correspondent, Australian Associated Press
Dear Madam,

These comments are in relation to the ‘Kamula Doso Improved Forest Carbon Management Project’ in Middle Fly District, Papua New Guinea.

We submit the following to the assessors of the project under the CCBA Standard.

**Documents relating to the consent of landowners are fraudulent**

- The claim that Tumu Timbers represents the landowners and incorporated landowner groups (ILGs) in the Kamula Doso area are false;
- Many of the ILGs were made ‘shareholders’ in Tumu Timbers without their consent;
- A number of ILGs had their representative signatures forged for these purposes;
- These actions by Tumu Timbers and Nupon Trading has been fraudulent and illegal;

**Landowners have not been consulted; there has been no free, prior and informed consent**

- The claims made in the Project Design Document that there has been adequate consultation and engagement with the communities of Kamula Doso are completely false;
- The ‘consultations’ involved visits by government officials and white people;
- These white people coerced landowners and bribed landowners into signing documents they could not read and did not understand;

**We strongly object to this project and will not abide by its conditions**

- We will not exclude forestry and agriculture projects for the next 40 years;
- Doing so will jeopardize the livelihoods of many people in our community and in the generations to come;
- The project threatens food security and economic sustainability in our community;
- It will severely retard community development;
- The project threatens our basic rights as citizens of Papua New Guinea;
The project delivers no benefits for landowners

- The project states there will be no cash distribution for the first two years of the project;
- Are the landowners supposed to not undertake any logging or agricultural activity and not get paid for their efforts during this time?
- Unlike the logging projects the white people object to, this project delivers no infrastructure, community facilities or health and education facilities;

The only winners are rich white people and businessmen

- Rich countries should cut their own carbon emissions by selling their cars and turning off their electricity;
- We have neither of these and should not have to pay with our lives for these people’s luxuries;
- The businessmen who will profit from this are suspected to take part in fraudulent and illegal behavior, including Filipino cockfighting competitions.

WE DO NOT WISH TO HAND OVER OUR INALIENABLE RIGHTS AND FUTURE PROSPERITY TO RICH WHITE CRIMINALS WHO ONLY WISH TO ESPLOIT WHAT IS RIGHTFULLY OURS.

Sincerely,

[Signature]

ILAME IGASA
Umomi Turuma .2 ILG Chairman

20/02/2010

Date

Cc:

- The Managing Director, PNG Forest Authority
- The Hon. Secretary, Department of Environment Conservation
- The Hon. Secretary, Department of Agriculture
- The Editor, The National
- The Editor, Post Courier
- The PNG Correspondent, Australian Associated Press
JOANNA DURBIN
CCBA
C/-Conservation International
2011 Crystal Drive, Suite 500
Arlington, VA 22202
U.S.A.

Dear Madam,

These comments are in relation to the ‘Kamula Doso Improved Forest Carbon Management Project’ in Middle Fly District, Papua New Guinea.

We submit the following to the assessors of the project under the CCBA Standard.

**Documents relating to the consent of landowners are fraudulent**

- The claim that Tumu Timbers represents the landowners and incorporated landowner groups (ILGs) in the Kamula Doso area are false;
- Many of the ILGs were made ‘shareholders’ in Tumu Timbers without their consent;
- A number of ILGs had their representative signatures forged for these purposes;
- These action by Tumu Timbers and Nupan Trading has been fraudulent and illegal;

**Landowners have not been consulted; there has been no free, prior and informed consent**

- The claims made in the Project Design Document that there has been adequate consultation and engagement with the communities of Kamula Doso are completely false;
- The ‘consultations’ involved visits by government officials and white people;
- These white people coerced landowners and bribed landowners into signing documents they could not read and did not understand;

**We strongly object to this project and will not abide by its conditions**

- We will not exclude forestry and agriculture projects for the next 40 years;
- Doing so will jeopardize the livelihoods of many people in our community and in the generations to come;
- The project threatens food security and economic sustainability in our community;
- It will severely retard community development;
- The project threatens our basic rights as citizens of Papua New Guinea;
The project delivers no benefits for landowners

- The project states there will be no cash distribution for the first two years of the project;
- Are the landowners supposed to not undertake any logging or agricultural activity and not get paid for their efforts during this time?
- Unlike the logging projects the white people object to, this project delivers no infrastructure, community facilities or health and education facilities;

The only winners are rich white people and businessmen

- Rich countries should cut their own carbon emissions by selling their cars and turning off their electricity;
- We have neither of these and should not have to pay with our lives for these people’s luxuries;
- The businessmen who will profit from this are suspected to take part in fraudulent and illegal behavior, including Filipino cockfighting competitions.

WE DO NOT WISH TO HAND OVER OUR INALIENABLE RIGHTS AND FUTURE PROSPERITY TO RICH WHITE CRIMINALS WHO ONLY WISH TO EXPLOIT WHAT IS RIGHTFULLY OURS.

Sincerely,

\[Signature\]

LANCE SIKA MITIKA
Kamula No. 2 ILG Chairman

\[Date\]

Cc:

- The Managing Director, PNG Forest Authority
- The Hon. Secretary, Department of Environment Conservation
- The Hon. Secretary, Department of Agriculture
- The Editor, The National
- The Editor, Post Courier
- The PNG Correspondent, Australian Associated Press
Dear Madam,

These comments are in relation to the ‘Kamula Doso Improved Forest Carbon Management Project’ in Middle Fly District, Papua New Guinea.

We submit the following to the assessors of the project under the CCBA Standard.

**Documents relating to the consent of landowners are fraudulent**

- The claim that Tumu Timbers represents the landowners and incorporated landowner groups (ILGs) in the Kamula Doso area are false;
- Many of the ILGs were made ‘shareholders’ in Tumu Timbers without their consent;
- A number of ILGs had their representative signatures forged for these purposes;
- These action by Tumu Timbers and Nupan Trading has been fraudulent and illegal;

**Landowners have not been consulted; there has been no free, prior and informed consent**

- The claims made in the Project Design Document that there has been adequate consultation and engagement with the communities of Kamula Doso are completely false;
- The ‘consultations’ involved visits by government officials and white people;
- These white people coerced landowners and bribed landowners into signing documents they could not read and did not understand;

**We strongly object to this project and will not abide by its conditions**

- We will not exclude forestry and agriculture projects for the next 40 years;
- Doing so will jeopardize the livelihoods of many people in our community and in the generations to come;
- The project threatens food security and economic sustainability in our community;
- It will severely retard community development;
- The project threatens our basic rights as citizens of Papua New Guinea;