

The Mark Nizette Era of Influence 2011-2023



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Mark Nizette MBE

Mr. Mark Nizette MBE is a former Assistant Secretary for International Heritage at the Department of Sustainability, Environment, Water, Population and Communities (DSEWPC) in Canberra - he was assigned as a 'Management Advisor' to the PNG Department of Environment and Conservation in August 2011 and embedded within the Conservation Environment Protection Authority (CEPA).

Nizette was well suited to his role as an environmental bureaucrat. He was born in Lae and is fluent in *Tok Pisin*. He had previously studied pre-history and anthropology at the Australian National University – his LinkedIn profile indicates he is a candidate for a Doctorate in this area. His local knowledge and language skills seem to have placed him in a position of considerable influence with his superiors in PNG and Canberra.

At the time of his assignment DFAT operated a 'Kokoda Development Program' from the offices of the Australian High Commission while DSEWPC funded the 'Kokoda Initiative' within CEPA. It is a matter of record that the two Australian funded programs were not in sync which created confusion and duplication amongst those they were supposed to serve.

Soon after Nizette was embedded in CEPA The Hon John Pundari MP, Minister for Environment and Conservation, assumed control of all things to do with Kokoda by establishing a 'Kokoda Initiative Ministerial Committee' (KIMC). His Secretariat was based in CEPA and Nizette's title was upgraded to 'Strategic Management Advisor'.

Minister Pundari's political influence in the O'Neill Government effectively meant that responsibility for Kokoda tourism was informally transferred from the PNG Kokoda Track (Special Purpose) Authority (KTA), which is responsible to the Minister for Provincial and Local Level Government, to CEPA.

The Minister for Tourism, Arts and Culture was sidelined despite the fact he is responsible for any policy associated with the Kokoda Trail which has emerged as PNG's most popular tourism destination. He was relegated to a position on Minister Pundari's Kokoda Initiative Committee (KIC).

Minister Pundari, was a busy man. In addition to overseeing the six Acts of Parliament relating to the environment he was also responsible for a new Climate Change Authority which involved extensive overseas travel.

John Pundari MP: Minister for Environment, Conservation and Climate Change

John Pundari MP was appointed Minister for Environment and Conservation after the election of the O'Neil Government in July 2012.

Around the same time the Department of Environment and Conservation (DEC) was replaced by a Conservation Environment Protection Authority (CEPA). According to a post on the [PNGBLOGS website](#):

'CEPA is a scapegoat!!

'It is a carefully scheme strategized by a well-organised network to suck public money. Under the management of Dr Wari Iamo as the Secretary, with his smooth talking PR spin-doctor, Gunther Joku (current acting Secretary), and their Australian friend and strategist Andrew Taplin, along with close aids and cronies, this clique has successfully enacted their grand plan. The CEPA Bill!!

*'It is common knowledge within the department that more than K3 million has been spent on this unbudgeted project. CEPA Project was never budgeted for in the 2011 fiscal year! **The money was raised internally by transferring money from one account to another especially***

from the funds allocated under developmental (PIP) budgets, projects undertaken through joint-bilateral agreements like Kokoda Track Initiatives and Coral Triangle Initiatives (CTI), and further purged from the recurrent budgets.'

Minister Pundari's portfolio, which included oversight of the Mining Act; the Oil and Gas Act; the Forestry Act, the Fauna (Protection and Control) Act; the Conservation Areas Act; and the National Parks Act) relating to environment, was expanded in 2014 with the addition of a Climate Change and Development Authority.

According to the [PNG Central Investigations website](#), Pundari also controls an extensive business empire which includes more than 30 private commercial companies.

One of the six security companies he owns, Millenium Guards, was reported by the PNG Investigations website to employ 1780 people in 2015, has net assets of more than K22 million, *'and provides security for Malaysian logging giant, Rimbunan Hijau'*.

On 7 December 2017, PNG Investigations Central reported on Pundari's [Climate Hypocrisy](#):

'Papua New Guinea's Minister for the Environment, Conservation and Climate Change, John Pundari, was in Germany last month for the COP23 Climate Change talks, where he urged countries to uphold their climate change promises under the Paris Agreement.'

'Pundari was leading the PNG delegation in Bonn, a role he has become accustomed to having attended numerous international climate conferences as Minister since 2012. In Germany he called on the delegates to secure real and serious action to effectively tackle global warming by cutting carbon emissions.'

'Yet, deforestation of tropical rainforests causes more carbon emissions than all the worlds cars and trucks according to scientists, and PNG has recently become the world's largest exporter of tropical logs.'

'Even more bizarrely, at the same time Pundari was in Bonn, urging action on climate change, back home in Port Moresby, his companies were providing security services to PNG's largest logging company, Malaysian owned multi-national Rimbunan Hijau, at its headquarters and a number of other business sites.'

Another of Minister Pundari's commercial enterprises, Dixies Bungalows, has also raised eyebrows in regard to a possible conflict of interest with his portfolio responsibilities. According to [PNG Central Investigations](#):

'Dixie's Bungalow resort 'offers a restful ambiance, welcoming and peaceful friendly environment' on the outskirts of Port Moresby. The resort is 'located in a lush tropical gardens on the banks of the Laloki river below Mt. Hombrum at the foot of the Sogeri plateau'. It offers '16 executive suites, premier rooms and Bungalows with swimming pools, river and pool side barbecue areas' together with conference rooms, restaurant, canteen/coffee shop and a shuttle bus to and from the city and airport.'

'Little wonder this tropical oasis has become a favoured location for the seminars, workshops, conferences and trainings so beloved of the international aid community. Australian Aid, the United Nations Development Program, World Bank and International Labour Organisation all run or fund multi-day events at the venue.'

The use of Dixies Bungalows for DFAT aid-funded programs, particularly via CEPA, is not known.

On 21 August 2018 [PNGBLOGS](#) reported:

*'There is a total lack of leadership in CEPA at current. The Managing Director has been operating out of Stanley Hotel all of this year to afraid to sack any CEPA staff as they all have dirt on him, the Deputy Managing Director is absent from work for weeks on end and forever lobbying on the corridors of Waigani for The Managing Director's position (as if he can even do the Managing Director's Job – let alone being totally incompetent in doing his own). Directors from the EP Department are forever taking bribes (in total awareness to the Managing Director and Deputy Managing Director) - which include 90% of officers in there, and trips offloading their officers who should actually go to do the work, Conservation directors are still traveling the world on fact finding missions – and consuming all monies intended for projects. **They have been fact finding for 10 years now! The Kokoda project money is all consumed in CEPA through meetings at Dixie bungalows – John Pundari's business. AusAID should seriously investigate the AusAID appointed Kokoda manager in CEPA, he is seriously compromised.'***

John Pundari MP - Mark Nizette MBE Relationship

Pundari's political influence within the former O'Neil Government, his Ministerial responsibilities along with his extensive commercial interests meant he had little time for the miniature of pilgrimage tourism across the Kokoda Trail. As a result his key staff in CEPA had more influence over their respective areas than would otherwise be the case.

Mark Nizette emerged as a shrewd 'influencer' in Kokoda tourism due to his dual status as a DFAT 'Strategic Management Advisor' within their 'Kokoda Initiative', and his appointment as secretary of the KIC within CEPA.

This was particularly so within the KIC as no other committee members had ever trekked across the Trail with an organised group and therefore had no understanding of its potential as a World class pilgrimage destination – except for Mark Nizette!

He is also aware that PNG Ministers/officials will generally sign any document which is attached to an Aid-funded opportunity. This is a clever ploy to allow him to argue that *'this is what PNG wants'* whenever he is challenged – he also knows that the PNG recipients of aid-funded projects will support him to the hilt if necessary.

In his 2013-2014 report he advised:

'The KTA began work on the development of a database to manage trekking information. The database will record information over time about the number of trekkers in a group, the number of trekking groups and the proposed locations of trekking groups. This will enable the KTA to locate trekking groups in case of an emergency and improve pre-trek logistics planning to manage the numbers of trekking groups at campsites.'

This never happened. There is no evidence of any such database ever being developed – or any other management systems or protocols being introduced under his watch from 2011-2023!

By 2015 it was evident that the management system put in place for the Kokoda Trail by Australian officials had clearly failed and the Kokoda Initiative was operating in a parallel universe without any understanding of the reality of Kokoda tourism.

Not one of their five planned management outcomes or 33 objectives in their ['Kokoda Track Authority Strategic Plan 2012-2015'](#) was achieved. As a result the plan was quietly shelved and has never been replaced.

In early 2016 a Ministerial reshuffle in Australia coincided with the transfer of responsibility in aid projects from AusAID to DFAT. This had no noticeable impact on the Kokoda Trail as the same officials put in place by Environment were simply transferred to DFAT. The Kokoda Development Program/Kokoda Initiative were combined which increased Nizette's influence.

In Australia, Ministerial responsibility was transferred from Environment to International Aid and the Pacific under DFAT. Over the following six years under the Coalition Government there were five different Ministers for International Development and the Pacific. None of them had any previous relationships with PNG, none had any connection to military heritage, and none spent enough time in the job to even to begin understand it.

They also had five different Minister's for Veterans Affairs between 2015 – 2022 – none of them were in the job long enough to understand the complexities of developing a Military Heritage Master Plan for the Kokoda Trail.

They were therefore reliant on officials such as Mark Nizette for advice re PNG and the Kokoda Initiative.

Nizette effectively firewalled Pundari from any other influences. I was only able to arrange for two brief meetings in regard to the Kokoda Trail during his seven year tenure as Minister. Nizette was present at both meetings and nothing came to pass as a result. I submitted a number of papers to the Minister during this period but none were ever acknowledged.

Pundari was recently replaced as Minister for Environment, Conservation and Climate Change with the election of The Hon James Marape as Prime Minister. His demise offers a timely opportunity to drain the swamp by replacing/reassigning Australian officials who are currently involved with the debacle that is the 'Kokoda Initiative' and the KTA.

Mark Nizette – James Enage Conflict

Problems relating to the KTA mismanagement originated with the recruitment of James Enage as the PNG 'Designate CEO' by Rod Hillman in 2009. Hillman had been appointed CEO of the KTA by the Department of Environment in Canberra and reported directly to them. He had no previous experience in PNG and no understanding of the '*Melanesian Way*'.

He was advised that he would have to nominate a PNG 'Designate CEO' as part of the process required to obtain a work permit.

Rather than advertise for a qualified commercial business manager he took a convenient short-cut and appointed James Enage who worked in the Prime Minister's Department, had an Arts Degree from UPNG and was a landowner at Efogi. He had no qualifications or previous experience in business management, military heritage, pilgrimage tourism or trekking.

Enage was then appointed as 'Designate CEO' and carefully groomed by the Department of Environment who sponsored him, and sometimes his wife and children, on numerous trips to Canberra, Sydney, and indigenous National Parks in NT/Qld where he was given a podium and VIP status.

We tried to engage Enage on numerous occasions about improving the management of the Trail, but it was clear he was never going to '*rock his paymasters' boat*'!

Despite his patronisation by Australian officials Enage was unable to withstand the *wan-tok* pressures from clans across the Trail. He was also subject to demands from an increasing army of opportunistic Kokoda tour operators.

In 2014 Enage was summoned to a meeting with the Australian High Commissioner, Deborah Stokes, over a management/accounting discrepancy. Stokes had been appointed by the new Foreign Minister, Julie Bishop, as part of her gender equality strategy in DFAT. Unfortunately, Stokes knew little about

the *Melanesian Way* which eventually led to her premature reassignment back to Australia after just two years in the job – reportedly at the request of PM O’Neill.

Mark Nizette was present at the meeting where Ms Stokes gave Enage a dressing down. This is the most humiliating experience a PNG man can have under their patriarchal system. Enage expected Nizette to defend him but he remained silent.

Enage then declared Nizette *person non-grata* in the KTA office. He later leaked the [DFAT Kokoda Initiative Master Plan](#) to demonstrate what he had to endure as CEO. He advised that landowners had not been consulted in their villages and did not accept the findings in the review.

Enage was correct in this regard – all the meetings for the Kokoda Initiative Master Plan had been conducted in Port Moresby and could therefore only be regarded as ‘desk-top studies’, but that was all Nizette needed to justify his expanding web of influence.

Enage then used KTA funds to establish a ‘Kokoda Track Landowners Taskforce’ and led a charge to close the trail. He saw no contradiction in the fact that he was paid by the KTA to keep the Trail open and then established a separate organisation, using KTA funds, to close it! He also threatened to resign as CEO of the KTA if his demands were not met. By this stage he had gone rogue and the dysfunction of his office continued.

Minutes of the KIC meeting in 2016 provide an insight into their mindset. The discussions were all about funding – the dysfunctional management of Kokoda tourism did not rate a mention.

We had heard rumours regarding the allocation of K500,000 to each of the Provinces at the time however we have never been able to identify how the funds were dispersed or how they were spent.

When the minutes were distributed, almost six (6) months later, James Engage accused CEPA of misrepresenting the record of the meeting. In an email to the CEO, Mr. Gunther Joku he advised:

‘The above is a clear example of what has transpired over the years in terms of KI Reports which has come out and has reflected major negative perception issues on KTA as an organisation by someone in CEPA who cleverly manipulates words to try to influence the Consultation Report outcomes, portraying negative views about KTA within the Kokoda Initiative Program.

*‘I say CEPA simply because KI Consultation Reports and Meetings Minutes are generated out of CEPA. KTA has suffered a perception issues in the pass and at present times because this continued attitude is not corrected within CEPA. Classical examples are the outcomes of Kokoda Initiative Mid Term Review Report of 2014 and Kokoda Initiative Draft Master Plan which definitely did not correctly reflect what was communicated by KTA Management to consultants who were involved in writing up of these documents. **To this date, KTA Management do not accept what is written in KI draft Master Plan, because what is written there do not reflect the true essence of KTA status and aspirations communicated to the KI engaged consultants involved in developing the KI Master Plan.***

‘Gunther, the above attitude in distorting words and not reflecting the true words used in consultation and KI Stakeholders meeting especially on matters relating to KTA and Track Management and Livelihoods of the Kokoda Track people is definitely hurting our relationship because the correct words and untrue statements just continues to misrepresent the truth and disappoints me.

‘Please whoever in CEPA, that is distorting words from meeting Minutes and Consultation reports better stop this attitude to give true records of meetings minutes and consultation reports. Otherwise, Gunther, please just remove whoever that is doing this and relocate them to other sections of CEPA to protect our working relationship.

‘For future KI meetings, I recommend that 2- or 3-minute takers be appointed for KI Meeting Minutes taking purpose to eventually compare notes and arrive with the final outcome of correct meeting minutes

records. Also use Dictaphones to assist with keeping verbal records of the meeting minutes in future to refer to them when writing meeting minutes.'

Mark Nizette was the secretary of the KIC meeting referred to by James Enage!

The management system continued to deteriorate to the extent that former Prime Minister, Peter O'Neill, ordered a review of the KTA in 2017.

Following is an email I sent to Governor Juffa regarding my concerns about James Enage being used as a scapegoat to cover the dysfunctional management system put in place by Australian officials in 2009:

From: Charlie Lynn
Sent: Monday, September 18, 2017 8:08 AM
To: Gary Juffa
Subject: Management of the Kokoda Trekking Industry

Dear Gary,

I have heard that there are plans to replace James Engage as CEO of the KTA with another government appointed CEO. If this is true a change of jockey will not achieve anything because it is the horse that is crook.

I have certainly had my issues with James over the years however I have arrived at the conclusion that he was set up to fail by the Australian Government who patronised him with numerous trips to Canberra, Sydney and various national parks throughout Australia. On one of these trips they paid for his wife and children to accompany him. As a result James was not in a position to question their 'directives' which came directly from Canberra.

He was placed in an untenable position as CEO designate by his Australian predecessor, Rod Hillman (who was on a salary of K360,000 plus generous overseas allowances and tax concessions which would have created a salary package in the region of K700,000). Hillman had no previous experience in PNG; no understanding of the needs of local village communities along the trail; and no understanding of management or PNG Government structures.

The structure Hillman put in place saw James Enage legally responsible to the Minister for Local Level Government but informally responsible to PNG Tourism; the Department of Environment and Conservation; the Kokoda Initiative; and the Conservation and Environment Protection Authority. In addition to this he was responsible for dealing with the conflicting demands of landowners and communities along the trail as well as up to 80 trekking companies. It was an impossible predicament.

The problem was exacerbated by the fact that he had to work to a Board of Directors that had no experience in law, accounting or governance. James himself was not qualified for the position he was thrust into because he no previous management experience or qualifications.

In addition to this Hillman did not put one management protocol in place during his time as CEO and James Enage was left with the mess.

One can only conclude that James Enage was set up to fail by the Australian Government. I have a great deal of additional evidence that supports this conclusion.

Your people along the trail are the victims of the current system. I have just completed my 89th trek and I can advise you that they have been reduced to spectator status as they see trekkers pass by without receiving any benefit from them.

I believe the solution is to run the Kokoda trekking industry as a business with Incorporated Landowner Groups along the trail as the major shareholders. I have attached a summary of the steps that need to be taken for this to happen.

I also believe that the leadership for this change must come from you, Henry Amuli and your counterparts in Central Province.

I am happy to provide whatever assistance I can at any time.

I will be in Port Moresby from 23-25 September and 6-14 October and would be happy to meet up with you to discuss the current situation and proposed solutions in more detail if it is convenient for you.

Best regards,

Charlie

The only change since then was a carefully orchestrated plan facilitated by the Australian High Commission to replace James Engage as CEO of the KTA.

On 4 April 2018 Mark Nizette assisted in arranging a KTA Board Meeting to accept Enage's resignation. He ensured they had the numbers to carry the motion. The CEO of PNG Tourism, Mr Jerry Agus, was appointed to chair the meeting in the absence of Mr Rueben Maleva.

Engage was made aware of the move and arranged for a couple of his key supporters on the Board to boycott the meeting which proceeded and accepted his resignation.

The following day Mr Rueben Maleva called another Board meeting in his capacity as Chairman of the KTA. This time Enage's *wan-toks* had the numbers and they refused to accept his resignation. He therefore continued as CEO and the dysfunction remained.

I was in Port Moresby at the time and met his *wan-toks* outside the KTA office before the meeting.

They agreed that he was a hopeless CEO but explained that he was also their 'bro'!

On 20 April we were advised by the Australian High Commission that they:

'attended a meeting of the Kokoda Initiative Committee which was chaired by Environment Minister Pundari in his capacity as lead minister for the KI.' They went on to remind trek operators that 'the KTA Board had met on 4 April and accepted James Enage's resignation as CEO. One of the purposes of the KIC meeting was for the PNG Government to affirm publicly, and in view of all the assembled stakeholders, that James Enage had in fact resigned from the position of CEO, and to thank him for his service and discuss an appropriate severance package for him. The latter issue was delegated to the KTA Board to consider, under the interim chairmanship of Tourism Promotion Authority CEO Jerry Agus. Agus was appointed interim KTA chair at the 4 April board meeting, and his appointment was also affirmed at the KIC meeting before the assembled delegates.

'Minister Pundari urged the KTA Board to move quickly to appoint a temporary CEO to replace Enage and suggested that a senior PNG official might be a suitable candidate. A permanent replacement would be recruited following the review into the KTA. The review, which is being led by the PNG Government, is proceeding according to schedule. A contractor has been appointed and is expected to deliver a draft report by the end of May. Consultations will take place with relevant stakeholders including from the trekking industry – over the next month.'

On 4 May 2018, The National newspaper reported:

'Kokoda Track Authority Chief Executive James Enage says the board had decided not to accept his resignation until a review of the authority is completed.'

'Enage said he had followed due process in tendering his resignation but the board advised him to continue until the current review of the government was completed.'

Minister Pundari and the Port Moresby Governor, Powes Parkop, arranged to offer Engage a lateral 'promotion' to an executive position in the National Capital District Commission (NCDC) which he accepted.

Mark Nizette – Charlie Lynn Relationship

When Mark Nizette was assigned as 'Strategic Advisor' to the Kokoda Initiative in 2011 we were enthusiastic about the appointment. Our biggest frustration at the time was trying to get Australian officials to understand the spiritual significance of the Kokoda pilgrimage for Australian trekkers; the reality and risks of operating a Kokoda tourism business, and the complexities of the Melanesian Way.

On 26 December 2013 I wrote in my blog:

'The appointment of Mark Nizette to head up the Kokoda Initiative and his relationship with the Secretary of the Department of Conservation, James Sabi, has arrested the decline and restored trust in the protection of the wartime integrity of the trail. Mark lived in PNG as a child, is fluent in Tok Pisin and has a strong empathy with Melanesian culture. He has previously worked at the Australian War Memorial and is currently studying for a Doctorate in Anthropology. We can only hope that his posting to the Kokoda Initiative extends beyond the 75th anniversary of the War in the Pacific in 2017.'

Over the years I did my best to keep Nizette informed. I reported to him after I came off my treks to brief him on my observations along the trail, submitted numerous reports to him, kept him posted via numerous email exchanges and participated in numerous forums and workshops.

I even went to the extent of sponsoring his wife, Penelope Marshall, on a trek with me in the hope she could relay the frustrations we were experiencing with the dysfunctional management system at the time.

The lead-up to the 75th anniversary of the Kokoda campaign in 2017 was a pivotal moment for me as I knew it would be the last opportunity we would have to share a significant commemoration with surviving veterans.

I reflected on the fact that Prime Minister Bob Hawke committed to accompanying 75 veterans to commemorate the landings of our troops at Anzac Cove on the Gallipoli peninsula.

But on the 75th anniversary of the Kokoda campaign in 2017 the Government failed to send a single veteran to the Anzac Dawn Service at Bomana War Cemetery which was Australian territory in 1942. Neither the Prime Minister nor the Governor-General attended the service.

I began to wonder about the quality of the 'advice' they were receiving from their 'advisors' in PNG.

I realized I was being fed platitudes by the same advisors who failed to acknowledge our suggestions for improving the value of the Kokoda pilgrimage or to respond to emails expressing our concerns regarding the extent of the dysfunctional management system they were overseeing.

When I checked Nizette's credentials from the Australian War Memorial I found they were misleading. His association with the Memorial was related to a thesis he wrote for his Master's Degree at the University of Canberra in 1983, titled: ['The theory and technology of early colour photographic processes including antipodean heliochromes housed in the Australian War Memorial'](#).

I there decided used our social media platforms to highlight the issues linked to the deception surrounding the restoration of significant military heritage sites across the Kokoda Trail and the dysfunction of the management system under Nizette's watch.

Soon after I began to receive what only could be construed to be 'warning letters' from PNG officials.

On 31 March 2017, Ms Kumaras Kalim, Director, Sustainable Environment Programs in CEPA wrote:

'I write to you with my most serious concerns of your continual criticism of the Government of Papua New Guinea as it works alongside the Australian Government to implement the outcomes of the Kokoda Initiative. The Kokoda Initiative is a joint and equal partnership between our two Governments, designed to protect the Kokoda Track and surrounding region with respect to its military heritage, its cultural heritage and its significant environmental values.'

'... Finally, while you are our guest in PNG conducting business here, I would appreciate you to behave appropriately and not damage the good work that is being undertaken by the partners of the Kokoda Initiative, and especially the Governments of Australia and Papua New Guinea.'

I thought this was an interesting intervention because I could not recall ever meeting Mrs Kalim or being aware of any previous interest she might have had in pilgrimage tourism.

I then learned that she worked beside Mark Nizette in CEPA.

On 29 October 2018 I received another 'warning' letter – this time from the Minister for Environment, Conservation and Climate Change, John Pundari MP:

'I write to you with my most serious concerns of your continual criticism of the Government of Papua New Guinea as it works alongside the Australian Government to implement the outcomes of the Kokoda Initiative. The Kokoda Initiative is a joint and equal partnership between our two Governments, designed to protect the Kokoda Track and surrounding region with respect to its military heritage, its cultural heritage and its significant environmental values . . .'

'I trust you will consider my remarks before making any further public statements. Such open and constant criticism of the PNG Government as it implements the Kokoda Initiative in partnership with the Australian Government only serves to divide communities rather than to unite them behind what is a very productive and significant joint partnership.'

Mark Nizette worked directly to Minister Pundari as his Strategic Management Advisor for the Kokoda Initiative and Secretary to his Ministerial Kokoda Initiative Committee. It is remarkably similar in content and tone to the previous warning I had received from Mrs. Kumaras Kalm.

On 7 September 2019 I received the following rant from the Acting CEO of the KTA, Julius Wargari:

'Hi Charlie, I must advise you that there is no need to respond to your repeated e-mails due to the very fact that KTA is an established PNG entity under PNG laws, hence I am not subject to you as a foreigner. . .'

'The issues you continue to raise here are the same that you have been repeatedly raging, lying and falsely accusing everyone on (including KTA, CEPA, DFAT and individual Australian Advisors and your own colleague Tour Operators) although I have repeatedly clarified and informed you two times. I still have these e-mail to re-send to you if you cannot remember having read and understood them. . .'

'On Camp sites, KTA, TPA and CEPA through KI are already doing somethings in progressing it and you can communicate with me to find out on the status of it later.

This rant was completely out of character for Julius Wargari who is a Tolai with a naturally amiable personality.

Prior to this I had met Wargari on a couple of occasions and sent numerous email and submissions to assist him in his new appointment as I was aware he had no previous experience in this area.

I had also been informally advised Mark Nizette had advised him that he (Nizette) was to sight all of the incoming and outgoing correspondence from the KTA office.

I assumed his rant was the result of pressure he was subject to from landowners, tour operators, two Provincial Governments, numerous Local Level Government Wards across the Trail . . . and the Kokoda Initiative Strategic Management Advisor who is now embedded in his office.

Irregular Engagement of KTA 'Acting' CEO

Around this time Mr. Andy Abel CSM ML was informally approached by Mark Nizette to see if he would be interested in the position of CEO. Abel had 30 years' experience in surf tourism , was a former Director of the Tourism Promotion Authority, former trustee of the National Museum and Art Gallery; and a Director of the National Aircraft Corporation

It seems Nizette soon learned his influence over Abel would be minimal due to his personal integrity and strong character. Nizette then neglected to arrange any follow-up meetings with him.

I was also aware that Mr. Glenn Armstrong, former General Manager of the Post Courier; former General Manager of EMTV; and former marketing manager for Air Niugini, would also be interested in the position.

I submitted Glenn Armstrong's CV to Nizette for consideration. I followed up a few weeks later Nizette did not respond and Armstrong was never contacted for an interview.

We were then advised that Mr Julius Wargirai, Deputy Secretary of the Department of Provincial and Local Level Government Affairs (DPLLGA), had been seconded to replace Engage in an 'acting' capacity.

It was reported his appointment was influenced by the fact that he could stay on the DPLLGA payroll and would therefore not be a liability to the KTA budget. The fact that he had no previous experience or qualifications in business management, pilgrimage tourism, or trekking was apparently a secondary consideration.

It might have also been influenced by the fact that Wargirai is a Tolai with an amiable personality who could be relied upon to take directions from the Kokoda Initiative Committee (KIC) which had unofficially replaced the KTA Board of Directors due to their internal dysfunction.

At the KIC meeting which approved Wargirai's appointment on 4 April 2018 Minister Pundari advised that a *'permanent replacement would be recruited following the review into the KTA'*

The review of the KTA was completed by TRC Consultants and a final Draft Report published on 4 July 2018 however no action has been taken since then to heed Minister Pundari's advice to recruit a permanent CEO following the completion of the KTA Review.

Minister Pundari was moved to another portfolio soon after and his desire to seek a permanent replacement following the KTA review was ignored.

Nizette was embedded back into the KTA office as the DFAT ‘Strategic Advisor’. His influence had increased significantly with the demise of the KTA Board of Directors in April 2018; his position as Secretary of the Kokoda Initiative Committee (KIC); his official role as the DFAT Strategic Management Advisor to the Kokoda Initiative; and the engagement of a compliant Acting CEO.

At this stage, by late November 2018 the KTA Board of Directors was effectively defunct as it had not met since James Enage’s transfer earlier in the year and there was a subtle transfer of power to the KIC. Nizette influence increased significantly as he retained his title as the DFAT Strategic Management Advisor in the Kokoda Initiative, as well as his position as secretary of the KIC.

Nizette was reported to divide his time between his CEPA office and the KTA office which allowed him to keep his hands on the levers of both.

Soon after Kokoda tour operators learned the KTA had transferred K350,000 from the KTA account to an Australian NGO. Attachment 1 contains details of the irregular transfer which should be the subject of a formal investigation.

Wargiral is now into his 5th year in the office in an ‘Acting’ capacity under Nizette’s watch without a single change being implemented to fix the dysfunctional management system.

The cessation of trekking due to Covid provided him with an abundance of time to catch-up on his work. Despite this he still has not issued the Minutes of KTA Forums held in 2017 and 2019; has not published any financial reports as he promised; did not take any action to assist campsite owners to prepare for the resumption of trekking post Covid, etc, etc.

The legal status of Wargiral’s appointment in an ‘acting’ capacity would also seem to be questionable as such appointments must be reviewed by National Executive Council (NEC) every three months. It seems unlikely that 20 applications for an extension over a 5-year period would not raise some eyebrows within NEC if requests had been submitted to them.

According to more recent advice sighted from the PNG Solicitor General Wargari’s appointment is not valid.

Irregular KTA Review

Towards the end of 2017 the management system put in place by Australian officials was so dysfunctional former Prime Minister, Peter O’Neill, called for a review of the Kokoda Track Authority (KTA). The PNG Government was cash-strapped at the time and did not have the funds for such a review. The Kokoda Initiative was therefore tasked to fund it.

Rather than use the opportunity to make a pitch to the major accounting-consultancy firms in Port Moresby for an objective review they used a bureaucratic sleight of hand to review themselves.

The task was allocated to Minister Pundari who passed it onto CEPA, who passed it onto the Kokoda Initiative, who then crafted Terms of Reference to review their surrogate, the KTA. They then ensured it would be a superficial review by engaging one of their former executives of the KTA as a consultant to conduct it.

The integrity of the review was further compromised by the fact that the consultant did not join any trekkers to obtain their feedback, nor did he meet any landowner communities along the trail. The review therefore failed to reflect the reality of Kokoda tourism and could best be described as yet another Kokoda initiative ‘desktop study’.

On 25 August 2018 Michael Pender, an accredited Military Heritage architect who designed the Isurava Memorial, responded to the review of the KTA by the Kokoda Initiative:

'In the last 15 years central PNG government has struggled to foster the Track's development as a sustainable tourism resource. Equally, the Kokoda Initiative aid (\$65M since 2008) to the region appears to have delivered limited sustainable economic benefit. I understand that landowners remain disenfranchised; trekking remains largely unregulated, visitor numbers by international standards are low, the tourism potential untapped. The KTA as a poorly funded manager of this dysfunctional environment has itself fallen naturally into dysfunction.'

He advised that the review:

'offers little to government as a practical policy map of a future Kokoda Track that delivers demonstrable sustainable benefit. This is a significant shortcoming in the Review report as it puts the cart (management of the track) before the horse (the Track, what is managed and its future). In this sense the TRC Tourism KTA report fails to address a key aspect of the Terms of Reference.'

I spent a couple of hours with the review team but nothing I presented (based on my 16 years' experience leading groups across the Trail) was reflected in his final report which basically recommended a continuation of the status quo. The option of managing Kokoda tourism as a commercial enterprise for the economic benefit of traditional landowner communities was not even considered.

Following is an email I sent to the Kokoda Initiative, the Australian High Commission, and the DFAT-PNG Governance Facility on 29 March 2018 regarding the KTA Review in which I expressed my concerns re possible corruption in the KTA. I did not receive a response.

To:
Mark Nizette, Kokoda Initiative;
Alan McCagh, PNG Governance Facility
Tom Battams, Australian High Commission

Dear Mark, Alan and Tom,

I'm not sure of the Chain of Command on this issue so I will address it to each of you.

The Kokoda Tour Operators Association (KTOA) have posted the following on their Facebook Page:

'A reviewer has been selected and it is hoped this company would commence its review at the beginning of May and be able to present its findings and recommendations within a number of weeks.'

'The Kokoda Initiative review will commence at the completion of the KTA review to ensure a more efficient and effective delivery of services.'

'Towards the second half of this year it is envisage that the Kokoda Stakeholders forum will be re introduced allowing all NGO,s Landowner Associations, Porter Associations, Village Communities, Trekking companies and all interested parties to communicate and discuss opportunities, challenges and priorities for all Stake Holders and communities on the track.'

'Regular forums, workshops and on the ground meetings will ensure all stakeholders can contribute and be heard in the distribution and priority of services across the track.'

Given the KTOA only represents 11 of the 36 licensed trek operators why has this information not been distributed to the remaining 25?

I am concerned that ‘Kokoda Stakeholder’ forums would even be considered during the review process because I am not aware of a single outcome from any one of these forums since they were introduced by Rod Hillman in 2009 – I have attached a summary of outcomes from the Hillman era of management from 2009-2012.

I am also concerned at the apparent corruption of process in regard to the conduct of the most recent tour operator forums in Port Moresby and Cairns. Adventure Kokoda invested approximately \$10,000 to attend each of these forums.

As you can see from the attached ‘2017 Post-season TOF Meeting minutes’ distributed by the KTA the following motions were unanimously agreed to by the 63 participants at the meeting:

- Reduce the maximum weight of backpacks carried by PNG guides and porters to 18 kg;
- Increase the minimum daily rate of pay for PNG guides and porters to K70 per day;
- Every PNG guide and carrier to be paid a ‘walk-home allowance’ of K250 each; and
- Every Kokoda tour operator to provide each PNG guide and carrier with a head-torch, a sleeping bag, a sleeping mat and a shirt with the name of the company they are trekking for on it.

Something then ‘happened’ at the Cairns Tour Operators Forum which was attended by a number of members from the Kokoda Tour Operators Association because the minutes of the Port Moresby forum were not tabled or discussed. I can only assume that the KTA representatives were either persuaded or bullied into not tabling them. My emails to the KTA requesting clarification on this issue have been ignored.

Of more concern however is the fact that the minutes of the meeting were taken by an Australian Government official but have never been distributed. Why?

Emails to the KTA regarding the status of the minutes and the outcomes of the Port Moresby forum have also been ignored.

As a result we are about to start the 2018 trekking season without a single action being taken to address the dysfunction of the KTA whilst the KTA Review process is being undertaken.

I note that the reviewer will ‘*commence its review at the beginning of May and be able to present its findings and recommendations within a number of weeks*’ as advised by the KTOA. This does not seem to allow much time for consultation with trek operators – particularly the 25 that don’t belong to the KTOA; Local Level and Provincial Government officials; and each landowner group across the trail.

My most serious concern is related to the fact that we are about to begin the 2018 trekking season without any management system in place as a result of the complete dysfunction of the KTA. The people we are therefore supposed to protect and empower i.e. the local guides and carriers will continue to be exploited by being overloaded, underpaid and poorly equipped. Local campsite owners will be short-changed and local village communities will continue to be spectators to the passing parade of trekkers.

The paying customers we lead across the trail will not have a single hygienic toilet to use and we are not able to ensure that the campsites we have booked will not be occupied when we arrive. Those who trek with PNG companies will not have any Public Liability Insurance cover and we know there are at least nine unlicensed operators leading groups across the trail.

The corruption of process within the KTA will continue unabated – no accounting for monies received; no disbursements to local communities; no annual reports; no financial statements; no distribution of information via newsletters; no effective ranger system; etc. etc. etc.

This is the system that the Australian Government put in place so surely there is a responsibility from somebody in Government to take some urgent action to provide an interim management system until the KTA review process is complete and a new system – hopefully one that allows the Kokoda trekking industry to be run as a business rather than a government bureaucracy, is implemented.

Can you therefore please advise why the motions agreed to at the PNG Tour Operators Forum in Port Moresby were not tabled for discussion at the Cairns Tour Operators Forum the following week and when the minutes of Cairns forum will be distributed to those operators who invested a significant amount of time and money to attend.

I would also like an assurance that any information regarding progress of the KTA review is distributed to all licensed trek operators.

Best regards,

Charlie

The KTA Review was completed five (5) years ago on 4 July 2018 – there have been no changes, no improvements, and no outcomes from it – as we predicted!

Irregular engagement of Australia’s National Military Heritage Advisor in PNG

DFAT advertised for a National Military Heritage Advisor for PNG in response to our continued calls for a Military Heritage Master Plan to identify, protect, and honour our wartime heritage along the Kokoda Trail.

Unfortunately they adopted a deceptive bureaucratic strategy by advertising the position during the peak holiday period from 19 December 2016 to 8 January 2017.

To further ‘control the process’ the advertisement was shared with only a small number of selected universities and institutions including *‘the Army Museum of WA, Darwin Military Museum, Army Museum of NSW, Army Museum of South Australia, and through local and international networks by NMAG, KTA, CEPA and Kokoda Initiative staff’*.

There were two serious flaws in this process.

1. Firstly it is highly unlikely that people qualified for such a significant wartime heritage project would be scanning the pages of these bodies during the peak Christmas holiday period; and
2. Secondly, the NMAG, KTA, CEPA and Kokoda Initiative staff were aware that there are professional military historians with an interest in the Kokoda Trail but they chose not to advise them of the position. The custodian of our military heritage, the Australian War Memorial, was not included on the distribution list.

The Third Secretary (Kokoda) at the Australian High Commission in Port Moresby, Mr Tom Battams also advised that:

‘The Australian Government is strongly encouraging NMAG to quickly establish an advisory body of military heritage experts and tour operators to ensure the views and interests of operators are reflected in the final Military Heritage Strategy. We urge trekking operators to contribute constructively to this body to give it every chance to succeed.’

This simply does not wash. The Australian Government had been in charge of the Kokoda Trail for a decade since 2009 and we had been calling for a master plan to be established before and since then.

Our requests were repeatedly ignored. So one has to question the motives behind the sudden rush to ‘quickly establish an advisory body of military heritage experts . . .’

The successful candidate was an American anthropologist, Dr Andrew Connelly whose thesis for his master’s degree in anthropology was *‘Counting Coconuts: Patrol Reports from the Trobriand Islands. Part 1: 1907-1934’*. His thesis for his doctorate was *‘Ambivalent Empire” Indigenous and Colonial Historicities in the Trobriand Islands, 1832-1941’*.

Dr Connelly did not have any qualifications relating to military heritage. His main advantage seemed to be his relationship with an unofficial ‘DFAT Insiders Club’ in Port Moresby.

Soon after Dr. Connolly published a [Kokoda Track Military Heritage Management Plan](#) for the National Museum and Art Gallery (NMAG) along with fellow anthropologist Greg Bablis in 2018. No accredited military historians were involved in the development of their plan which advised that it would recognise the prominent roles of Japan and the USA in PNG’s war history, as well as the place of other nations, including the UK, India, Fiji, China, Korea, Taiwan, etc.

If the anthropologists had consulted with an accredited military historian they would have learned that Japan certainly had a prominent role in the war – they started it!

They would also have learned that the ‘USA, UK, India, Fiji, China, Korea, Taiwan, etc’ were not involved in the Kokoda campaign!

The report is destined to gather dust on NMAG shelves as it is irrelevant to both Kokoda pilgrimage tourism and the military heritage of the Trail.

The recruiting process which led to the engagement of an American anthropologist, without any military heritage credentials, as Australia’s National Military Heritage Advisor is questionable in view of the fact that well-credentialed Australian military historians expert in the Kokoda campaign were shrewdly bypassed. The exclusion of the Department of Veterans Affairs (DVA) and the Australian War Memorial (AWM) from the process was disingenuous.

It is doubtful whether the recruiting process for a National Military Heritage Advisor in PNG would pass the scrutiny of governance watchdogs in Australia.

Irregular Transfer of KTA Funds to an Australian NGO

Soon after Mark Nizette was embedded back into the KTA office in 2018, with Julius Wargari as his Acting CEO, Kokoda tour operators were advised of a transfer of K350,000 from the KTA account to an Australian NGO with no links to Kokoda tourism.

The transfer seems to be linked to Mark Nizette’s friendship with Dr Andrew Moutu, Director of NMAG and Dr Genevieve Nelson, CEO of KTF which, according to their website, would be used to *‘launch a joint scholarship scheme for the children and families of the Kokoda Track . . . which will support 1,874 primary school students from across the catchment region supported under KTA’s jurisdiction’*.

This is misleading. The KTA’s jurisdiction extends from Sogeri to Kokoda and does not include charitable handouts to Australian NGOs for areas other than along the trail between Sogeri and Kokoda.

The transfer was further compromised with Dr Moutu's failure to declare that he is a Director of KTF.

In the recent Annual Review of [the Papua New Guinea Australian Governance Partnership 2019](#) the author, presumably Mark Nizette, advised that the funds represented '*undisbursed income*'.

He was later contradicted by his Acting CEO who advised that when he took office in November 2018 there were no funds available.

Mr Wargiral had been placed in an untenable position during this period. The Board he would have been expected to report to had not produced an Annual Report; an audited financial report; or even a set of Board Minutes for 10 years and was now defunct.

He was also coming to terms with his competing responsibilities to CEPA, Provincial and Local Level Government, Tourism, landowners and 33 licensed trek operators is impossible to manage with the structure he has inherited. He does not have staff with the expertise required to run such an operation.

This issue should be the subject of a formal investigation into the approval process as it appears to be an unauthorised misuse of trek fee income. If it is found to be illegal KTF should be required to refund the trek fees - if it was initiated and/or approved by Mark Nizette either he or the Australian Government he represents should be required to refund the trek fee income to the KTA.

Attachment 1 provides for full details of the irregular transfer.

Irregular proposal for a new Kokoda Track Management Authority (KTMA) Act

Soon after Mark Nizette had settled back into the KTA office, on 27 February 2019, the PNG National Newspaper reported '*Legislation for new entity to manage Kokoda underway*'.

It was an innocuous article that didn't raise any eyebrows at the time due to the ongoing dysfunction within the KTA over the previous 10 years.

The article advised that the Review of the KTA had been completed and draft legislation was underway.

After the clandestine process had been exposed two years later, it was discovered the Bill sought to expand the influence of DFAT officials by redefining the Kokoda Trail as a 'Kokoda Corridor' and extending its boundaries far beyond its gazetted area to include Sirinumu Dam on the south coast, and a large chunk of the Owen Stanley Ranges through to the beach-heads of Buna and Gona on the north coast. The proposal would enshrine the careers of a new generation of aid-funded bureaucrats and consultants with yet another layer of environmental legislation.

It revealed that Julius Wargiral had been instructed by NEC Decision 123/2019 '*to oversee the transition to a new Kokoda Track Management Authority*'.

It was also revealed that Mark Nizette had been secretly working on a new Bill to replace the KTA which was responsible to the Minister for Provincial and Local Level Government Affairs, to a new national authority which would be responsible to his Minister for Environment, Conservation and Climate Change.

This would ensure the Kokoda Trail would be managed as a CEPA bureaucracy rather than a tourism enterprise on a commercial basis for the benefit of traditional landowners across the Trail.

Nizette has since denied he was the author of the draft bill however this is at odds with the following email to Governor Gary Juffa on 1 April 2021:

From: **Mark Nizette** <mark.nizette@gmail.com>

To: Gary Juffa <Gvjuffa@gmail.com>
Date: Thu, 1 Apr. 2021, 11:47 am
Subject: KTMA Draft Bill and Discussion Paper

Gary,

Attached is the latest version of the KTMA draft bill, and a draft discussion paper **I'm working on**, and a draft covering brief for you and the other members of the KIC.

There are some key policy issues we require guidance on and then your approval to get this draft out to the communities and the other stakeholders (e.g. tour operators).

We will then finalise it for final KIC approval and then go through the channels to get it to Parliament for the three readings. Would love to have this in place before the end of 2021 so we can start 2022 with the KTMA.

Your help would be most appreciated, as I'm finding it difficult to step people through the process (being so far away). However, Julius and Dr Moutu have been very helpful. **(CEPA has been more absent - just between you and me).**

Happy to discuss the content and the process of going forward from here. I think Martin Brash could assist.

Please note that nothing is set in stone yet, with the bill, or my discussion papers etc. We need KIC clearance/discussion and feedback/direction.

m.

[Mark Nizette, MBE](#)

Kokoda Initiative Strategic Advisor PAPUA NEW GUINEA

Nizette tried to deflect responsibility for the bill by claiming '*the first draft was completed by former PNG Supreme Court judge Brian Brunton*'. This was a bit disingenuous as he failed to mention who provided the instructions to Brian Brunton for the drafting of the bill.

It is certainly no surprise that CEPA had '*been more absent*' as advised in the email from Nizette to Governor Juffa. There is nobody in the CEPA KIC who is qualified in commerce, pilgrimage tourism or trekking.

None have ever trekked Kokoda – or is physically capable of doing so! The only person with the incentive to hijack the word 'Kokoda' to drive an environmental agenda far beyond the Trail as a career enhancing opportunity is Mark Nizette.

The process leading to the development of the proposed KTMA Bill indicates that Mark Nizette may have fused his role of '*advisor*' with that of '*influencer*' of PNG legislation. For example, according to Word and pdf metadata:

- The author of the 'Issues Brief KTMA Draft Legislation' signed by Mr. Julius Wargiral, is 'Mark Nizette'.
- The author of the 'KTMA Bill "Zero Draft" Discussion Paper February 2022' is 'Mark Nizette'.
- The author of the 'KTMA Discussion Paper, March 2021', is 'Mark Nizette'.
- The author of the 'Kokoda Track Management Authority Bill 2021' is 'Mark Nizette'.

Given that the Bill has been drafted in secret without any consultation with key stakeholders such as

the Minister for Tourism, Arts and Culture, the Tourism Promotion Authority (TPA), the relevant Provincial and Local-Level Governments, Kokoda tour operators, or traditional landowner groups across the Trail it surely goes beyond the charter of a 'foreign advisor' and could be construed to be a form of 'foreign interference' in PNG.

A detailed analysis of the proposed bill can be found on this link: [Environment Bill for Kokoda – A suicide note for Pilgrimage Tourism!](#)

RAPPAM Report re Protected Area Management in PNG

A 2006 '[Rapid Assessment and Prioritisation of Protected Area Management](#)' (RAPPAM) report, compiled by the Department of Environment and Conservation, the PNG Forestry Authority, the Research and Conservation Foundation, the Nature Conservancy, and the Village Development Trust advised that:

*'Many of the areas with **high socio-economic importance** are facing a relatively **low degree of threat** (Kokoda, Wiad, Pirung).*

'Areas like Lihir, Tonda, and Bagiai are exceptions to this rule and hence require more efforts to protect them from the variety of threats they are currently facing.'

If this is the case it begs the question as to why CEPA isn't doing its job and focusing on priority areas facing a higher degree of environmental threat such as Lihir, Tonda, and Bagiai - particularly in view of the report summary which includes these facts:

- *'Findings from the assessment indicated a weak PNG Protected Area system that requires some careful rethinking. Thematic areas of Representation, Legislation and Policy, Collaboration and Partnership, Capacity Building and Training, communication, Education and Awareness and Pressure and Threats are highlighted in the recommendations, and*
- *'To ensure that this exercise is not just a paper one, these recommendations must now be turned into an Action Plan and implemented as fully as possible to ensure that the country's outstanding culture and biodiversity are protected for generations to come.'*

The report also revealed that the Kokoda Historical Reserve, which has a low degree of environmental threat, comprises a miniscule area of just 11 hectares, while Lihir, Tonda, and Bagiai, which have a higher degree of threat, have a combined area of 623,968 hectares.

It is also worth noting that a recent attempt by the DFAT-Kokoda Initiative to have the Kokoda Trail listed as a World Heritage Site was unsuccessful after an expert on World Heritage, [Dr Peter Hitchcock](#), revealed it did not meet the international criteria for such a listing.

A more recent report in 2018 regarding an '[Assessment for the Management Effectiveness for Papua New Guinea's Protected Areas](#)' advised:

'Two major, largen Pas (Tonda and Maza WMAs rated as only in fair condition, due to multiple threats and lack of law enforcement capacity.'

One of the authors involved in both reports in 2006 and 2018 is Mr James Sabi, BSc, Manager, Terrestrial Ecosystems in CEPA.

Mr Sabi works in the same area as Mark Nizette and is obviously aware of the environmental challenges relating to large geographical areas such as Lihir, Tonda and Bagai.

One can assume that Nizette's earlier reference to CEPA being '*more absent*' from his KTMA bill was because PNG managers such as James Sabi are more concerned with environmentally threatened

areas totaling 623,968 hectares than they are with a miniscule area of just 11 hectares with a *'high socio-economic value'* for its people and a *'low degree of threat'* to their livelihoods.

Since the publication of the RAPPAM report in 2006 the Kokoda Trail has emerged as PNGs most popular tourism destination and has generated significant wealth for the local population. This has diminished since Australian officials assumed responsibility for managing it in 2009 and hijacked the term 'Kokoda' to support their own ideological agenda for the environment at the expense of Kokoda tourism

2019 Kokoda initiative Report – A betrayal of our Kokoda Legacy

The 2019 Annual Review of the DFAT 'Kokoda Initiative Partnership' represented a hijack of Kokoda pilgrimage tourism by Australian environmental officials. It is presumed that the author of the report is Mark Nizette.

The report failed to address the chronic dysfunction of the management systems put in place since DFAT assumed control of the Kokoda Trail in 2009.

It failed to address the lack of governance within their surrogate PNG organisation, the Kokoda Track (Special Purpose) Authority (KTA), which has failed to account for more than \$5 million in trek fees.

It also fails to address the issue of 'pilgrimage' which is the primary reason Australians choose to trek across the Trail.

Instead it focuses on issues such as Gender Equity Strategies, Gender Stocktakes, Social Inclusion and Capacity Building.

There is nothing in the report to support the Kokoda Trail achieving its potential as a world-class pilgrimage destination for the economic benefit of the traditional owners of the land sacred to our shared military heritage.

My response to the report, which seems to have been gathering dust of DFATs Kokoda Initiative shelves since 2019 is available on this link: [Kokoda Initiative Annual Report – A betrayal of our Kokoda legacy!](#)

DFATs Kokoda Follies

The primary motivation for the 55,000 Australians who have trekked across the Kokoda Trail over the past two decades is the military heritage of the Kokoda campaign.

The significant sites across the 138 km Trail include Owers Corner, Imita Ridge, Ioribaiwa Ridge, Brigade Hill, Mission Ridge, Lake Myola, Templeton's Crossing, Eora Creek, Isurava, Deniki and Kokoda.

These sites have been carefully avoided and starved of funding under Nizette's watch as Strategic Management Advisor - accredited military heritage consultants have been bypassed in favour of archaeologists, anthropologists, environmentalists and social engineers.

[Extent Heritage](#), for example, seems to have 'favoured consultant' status under the Kokoda Initiative. Some of their known projects include:

1. The 'Lost' Battlefield

The site was originally referred to as a 'Lost Battlefield'. After they were advised the site had never been *'lost'* they rebadged it as the 'Etoa Battlefield' as it is supposedly the local indigenous name of the feature. There are no military historical references to any 'Etoa Battlefield' and no

Battle Honour was ever proclaimed in that name – it therefore does not have any military historical resonance.

It is most likely an A Echelon area at the rear of the main Japanese defensive position at Eora Creek. [This link provides a brief on the fallacy of the 'lost' battlefield.](#)

The Kokoda Initiative engaged Extent Heritage advisors who specialise in archaeological assessment, management planning, research, and interpretation for the project.

The archaeologist in charge of the 'discovery', Dr Matthew Kelly, admitted they adopted the term '*lost battlefield*' because '*it was a catchy title to get people's attention*'.

The location of the site is off the main Trail and will therefore not generate any interest from trekkers or any income for the landowners. It is therefore destined to be reclaimed by the jungle and forgotten.

The Kokoda Initiative should be required to provide a copy of the cost-benefit analysis regarding the impact the site would have on Kokoda tourism prior to committing taxpayer funds to it.

2. Blamey's Garden

Extent Heritage was first engaged to conduct archaeological research on [Blamey's Garden at Hombrum Bluff](#). The project was first conceived by General Sir Thomas Blamey as a respite centre for troops in 1942 but it was never completed. The site is in a remote isolated area and has no relevance to the Kokoda Trail.

Not a single tourist has visited the site since Extent Heritage completed their archaeological research on the site.

The Kokoda Initiative should be required to provide a copy of the cost-benefit analysis regarding the impact the site would have on Kokoda tourism prior to committing taxpayer funds to it.

3. The Kokoda 'Track'

Extent Heritage were then engaged to undertake '[archaeological surveys and site recording on the iconic Kokoda Track, Papua New Guinea](#)'. According to their work they '*identified over three hundred sites illustrating its World War II history, including weapon pits and battlefield artefacts*'. They prepared a conservation management plan to guide the future management of the site.

The 11 sites that attract Australians to trek across the Kokoda Trail were already well known and have been visited by trekkers for more than 30 years before Extent Heritage 'identified' them – they are at Owers Corner, Imita Ridge, Ioribaiwa Ridge, Brigade Hill, Mission Ridge, Lake Myola, Templeton's Crossing, Eora Creek, Isurava, Deniki, and Kokoda.

The remaining 289 sites were obviously 'identified' to future-proof consultancy work for Extent Heritage.

4. Lake Myola

In 2016 Extent Heritage was engaged to conduct an [archaeological surface survey of the Myola Basin](#) and its immediate surroundings. The project met multiple objectives, including '*its contribution to the quantum of knowledge that may be used to prepare a future World Heritage nomination of the Owen Stanley Ranges, Brown River Catchment, and the Kokoda Track region.*'

In 2015 the Kokoda Initiative received a report from the late Mr Peter Hitchcock AM (who was regarded as an international expert on World Heritage and forest conservation) and Dr Jennifer

Gabriel – an anthropologist at James Cook University. [They concluded that the Kokoda Trail did not meet the criteria for a World Heritage Listing.](#)

It therefore begs the question as to why the Kokoda Initiative invested taxpayer funds in a study that was deemed to be irrelevant by an expert report the previous year – and why they continued to ignore the 11 sites relevant to the 55,000 Australians who have trekked across it over the past two decades.

Other Kokoda Initiative military heritage follies include:

1. Interpretive Panels at Owers Corner

The tender for the design, development and construction of interpretative panels for Owers Corner was awarded to ‘The Interpretative Design Company’ based in Coffs Harbour.

According to their website the contract was *‘for the provision of interpretive services to the Australian Government Kokoda Initiative Taskforce’*.

There is no record of this company having any previous experience or empathy with Papua New Guinea which is evident in their opening statement¹:

‘With our first trip to PNG set for November 2015 and a deadline of ANZAC Day 2016 we had to hit the ground running.

‘Port Moresby is a confronting city and rated as one of the most violent places on the planet. It accosts the senses with its obvious social inequity. When the security agency describes recent events of rape and brutal assaults you cannot help but experience fear.’

This is a patronising insult to their host country and reflects an appalling level of ignorance about the progressive advancement of Port Moresby in recent years.

They also indicated they have no knowledge of historical wartime interpretation:

‘Researching and writing for this project was both stimulating and challenging. As there was no clear objective, other than some signage at Owers’ Corner that would portray the WWII experiences of the people of PNG, we had to start from scratch in workshops and engaging with the local communities.’

If there was *‘no clear objective’* in the tender document, *‘other than some signage at Owers Corner’* then surely the bureaucrats who developed and approved the tender should have been sacked.

The statement that *‘we had to start from scratch in workshops with engaging the local communities’* beggars belief. The Australian War Memorial is the custodian of Australia’s wartime history. They should have been consulted to provide the research material required to ensure that any such work was completed in accordance with the Principles of Commemoration.

The local community was not involved in the process. When I completed my Anzac trek at Owers Corner on 24 April 2016 I was approached by a local landowner who had a query about *‘somebody from the Kokoda Initiative coming to build something’ the following week’*. He was never consulted and knew nothing about it. I was unable to provide him with any information as we were also unaware of it.

They missed their deadline of Anzac Day, 2016.

A review of the information on the panels revealed that they had expunged the word ‘mateship’ and replaced it with ‘friendship’. The panels had to be removed and redesigned when this became publicly known. The information regarding the PNG ‘fuzzy-wuzzy angels’ is pure patronising drivel and historically incorrect.

2. Village Community Museums

The establishment of village community museums at Efogi and Alola seem to be the product of a well-intentioned but misguided ‘thought-bubble’ by the National Military Heritage Advisory Group. There was no consultation with local landowners (despite claims to the contrary on the NMAG website) and no consultation with trek operators to evaluate the potential acceptance of such a concept amongst the paying customers i.e. trekkers. No consideration was given to a cost-benefit assessment of the project. No retail training has been provided to the villagers.

Neither site has any wartime significance as both villages were relocated to their current sites post-1945.

I have led three treks across the trail since April – neither of the ‘museums’ were open when we arrived; there were no items for sale; and trekkers did not express any interest in wanting to visit them. At Alola the villagers sit where they have always sat to sell fruit, drinks and bilums.

Trekkers are interested in viewing military artefacts insitu where they have been undisturbed – the mortar position at Eora Creek is a good example. Once they have seen these mortars, grenades and old boots insitu they are not interested in seeing them again in a hut during the remainder of their trek. They are also tired when they arrive at these locations and are therefore more interested in having a meal or preparing their campsite.

These misguided developments illustrate the need for a Master Plan designed to meet the needs of paying customers, i.e. trekkers and local village communities.

Money spent on the construction of these two museums would have funded the establishment of hygienic toilets and Koiari trek houses at campsites across the trail. This would be a much better investment because it would meet the needs of trekkers and inevitably lead to an increase numbers.

The approval process for these community museums would also have difficulty passing any credible governance test in Australia.

Mark Nizette should be requested to provide details of the ‘Strategic Management Advice’ he provided to the relevant authorities as part of the approval process for each of these projects along with a ‘cost-benefit analysis’ for each one.

Unlawful revocation of Adventure Kokoda Tour Operator’s License

During my first trek across the Trail post-Covid in 2022 I observed that many sections of the Trail were unsafe, campsites were dilapidated and the toilets were well below the hygienic standards trekker would accept.

No updates were provided by the KTA in 2022 or in the lead-up to the 2023 peak trekking period in April 2023.

On 2 February 2023 I sent an email request to the Acting CEO of the KTA requesting an update on condition of the Trail and the adequacy of campsites and toilets. He did not respond.

On 10 February 2023 I sent a further email with a proposal that we pay our trek fees direct to campsite owners to provide them with an incentive to prepare their sites to meet the expected influx of trekkers in the forthcoming Anzac trekking period. He did not respond.

On 13 March 2023 I sent a further email and advised him that: *'We are now less than 4 weeks away from the peak Anzac trekking season and the situation is now urgent.* I repeated my proposal that we use a portion of our trek fees to offset the additional costs we would have to incur to meet the needs of our trek groups. He did not respond.

On 23 March 2023 the Acting CEO advised that my *'intention not to pay Trek Fees direct to KTA and instead distribute direct to the campsite owners through other interest groups not legitimized by law to administer these powers and functions would constitute a breach of these provisions, and considered an illegal act on your part'*. He failed to provide any assurances that the Trail would be safe and the campsites adequate to meet our needs.

On 14 April 2023 I departed Owers Corner with a group of 111 people comprising 36 trekkers and 76 local guides and porters. I advised the KTA Ranger that I had not received any assurances from the KTA, so I had not applied for trek permits. I also advised them that I had an additional K16,000 in cash to pay directly to campsite owners to assist them to prepare their sites for the Anzac trekking period. Receipts were obtained from campsite owners for each payment they received.

On Saturday, 15 April 2023 the Acting CEO engaged an armed police contingent and went to Owers Corner to prevent any further Adventure Kokoda trek groups from departing.

Our Adventure Kokoda manager, Mr. Donald Watson, met with the Acting CEO of the KTA when he arrived and agreed to pay for my group's trek permit fees and the group scheduled to depart later on that day.

The Acting CEO then visited the TropicAir terminal the next morning (Sunday) where our Adventure Kokoda Logistics Manager, Mr. Tau Maguli, paid him for the two groups leaving from Kokoda over the following two days.

All cheques were dated 11 April 2023 as part of normal logistic planning and preparation for the Anzac trekking period.

The payments were in accordance with Section 9 of the Koiari and Kokoda Local Level Government Trek Permit Law 2005 which state:

'A trekker without permit shall be required to return to the office of the Kokoda Track Authority or approved licensee or authorized agent or officer of the Authority and make arrangement for payment of such permit, plus any imposed penalty.'

No penalty was levied by the Acting CEO for Charlie Lynn's group which had departed the previous day when he accepted the cheque for his trek permits.

On Monday morning (17 April 2023) our Adventure Kokoda Logistics Manager, Mr. Tau Maguli, visited the KTA office and received official receipts for all payments.

Receipts were received for all additional payments made to campsite owners during my trek.

A week later, on 24 April 2023, The Minister for Environment, Conservation and Climate Change, the Hon Simon Kilepa MP, announced the cancellation of our Adventure Kokoda's Commercial Tour Operator's licence without notice.

The Minister, who is Chairman of a Kokoda Initiative Committee (KIC)¹ advised:

'The committee heard very disturbing reports from the Acting CEO of the KTA, Mr. Julius Wargirai, that on four occasions recently Adventure Kokoda deliberately attempted to evade payment of trekking permit fees to the KTA as required under PNG law.'

It seems Mr. Wargari neglected to advise the Minister and/or his Kokoda Initiative Committee that Adventure Kokoda had paid all trek fees owing directly to him the previous week in accordance with the provisions of the Koiari and Kokoda Local Level Government Trek Permit Law 2005. The Minister continued:

'The Committee further heard that a trekking group arrived at Owers Corner on Friday 14th this month without any application for permits, or any notification to the KTA. Mr. Lynn announced to the KTA ranger that they would trek to Kokoda without the lawful KTA trekking permits. Despite being previously warned in writing by the CEO, and again advised by the KTA ranger at Owers Corner, Mr. Lynn lead the trek onto the Kokoda Track after continual refusals to pay KTA trekking permit fees.'

The Minister, and/or his Kokoda Initiative Committee, was obviously misled by Mr. Wargari who was aware that we had been communicating with him for two months prior to our trek to seek an assurance the Trail would be safe, and campsites would be adequate to meet the needs of our trekkers who paid for their trek permits in good faith. He failed to respond to these emails. As a result we felt we had no option but to pay a portion of our trek permit fees directly to campsite owners to assist them to rebuild their sites to meet the needs of their paying customers.

We advised the KTA ranger of our intentions and assured him we would obtain receipts for all cash payments to campsite owners. We also advised him of our concerns over the fact that the KTA refuses to publish financial reports and refuses to invest in campsites or toilets to meet the needs of trekker who pay the fees. We advised the ranger to notify the KTA and advise them of our intentions to pay our fees directly to campsite owners.

The Minister further advised:

'This action was attempted again over the next three days by the same company, resulting in more than 100 tourists trekking without a valid permit from KTA. It is reported that cheques were eventually paid to the KTA after the groups had commenced trekking.'

This is simply not true. The Minister, and/or the Kokoda Initiative Committee, was obviously misled by Mr. Wargari who had received cheques for all trek permits due for the Anzac trekking period at Owers Corner on 15 April 2003, and at the TropicAir terminal the following day on 16 April 2003.

Mr. Wargari's KTA office staff provided receipts for all payments by Adventure Kokoda on Monday, 17 April 2023 however, according to our Adventure Kokoda bank statements the cheques were not deposited into the KTA bank account for a further two months – until 13 June 2023!

The Minister should now seek to ascertain why Mr. Wargari withheld these cheques for two months before depositing them in the KTA bank account – and why he misled his Ministerial committee.

The Minister should also be asked why he did not seek an explanation from Adventure Kokoda prior to eliminating the company they have taken 32 years to build, at the stroke of his pen.

¹ Legal responsibility for the management of the Kokoda Trail rests with the Minister for Provincial and Local Level Government Affairs. The Kokoda Initiative Committee is an environmental advisory committee established by the Minister for Environment, Conservation and Climate Change.

He should also be made aware that Charlie Lynn's trek group paid K12,425 to the KTA for trek permits on behalf of his 36 trekkers, plus an additional K14,870 to landowners for campsite fees and further development – a total of K27,295. Despite this there was not a single hygienic toilet across the entire Trail and the section adjacent to the Brown River remains dangerously unsafe – see attachments below.

We then engaged our lawyers in Port Moresby to take out an injunction against the Minister's cancellation of our tour operator's license.

On 22 November 2023 the National Court found:

1. the Kokoda Initiative Committee of 21 April 2023 to consider the proposal to cancel Adventure Kokoda's Commercial Tour Operator's Licence was invalid;
2. Minister Kilepa's decision to cancel Adventure Kokoda's Commercial Tour Operator's License was invalid;
3. Minister Kilepa and Acting CEO Julius Wargari were to take all steps necessary to restore Adventure Kokoda's Commercial Tour Operator's License; and
4. Adventure Kokoda were awarded costs against the Kokoda Initiative and the KTA.

Current Situation

The construction of the [Edevu Hydro Power Project](#) on the Brown River by the Chinese Development Bank has negated the need for a World Heritage listing to protect the Brown River Water Catchment Area. This has now been achieved by the PNG Government in partnership with the Chinese Development Bank.

The 2006 RAPPAM report states the Kokoda Trail faces a low-degree of environmental threat.

DFAT now has four environmental officials embedded in PNG advising CEPA. Since their work on assisting PNG to obtain a World Heritage listing for the Kokoda Trail was negated they have shifted their focus towards 'Protected Area Management' to protect their aid-funded jobs.

PNG does not need experts from Canberra to 'advise' them in this area as their subsistence farmers across the Kokoda Trail have been effectively practicing 'protected land management' for centuries.

They also have their own experts in CEPA and in the field to provide whatever support their communities need in this area. I have been informally advised that the cost of these 'advisors' (wages, vehicles, accommodation, travel and allowances for danger and hardship) is in the region of K2500 each per day.

Any assistance required by PNG should be provided by Australian National Parks Rangers who have practical field experience in these areas and are comfortable living and working with villagers in remote areas. Canberra based academic environmentalists should be excluded.

The engagement of a National Military Heritage Advisor can only be seen as a subtle bureaucratic ploy to avoid responsibility for the development of a Military Heritage Master Plan that would attract increasing numbers of trekkers each year.

In the meantime the KTA is simply not equipped or qualified to manage Kokoda tourism.

Conclusion

The engagement of anthropologists, archaeologists and environmentalists to search for ‘objects’ across the trail has no relevance to the development of Kokoda tourism.

The failure to engage an accredited heritage architect to develop a Military Heritage Master Plan for the Kokoda Trail continues to limit its potential as a world-class pilgrimage tourism destination.

The failure to develop a database of trekkers has severely limited the opportunity to raise significant funds for charitable causes across the trail each year.

The failure to train local villagers to earn additional income from trekkers through the provision of services to meet their needs has deprived them of their rightful share of benefits from Kokoda tourism.

The failure to develop a Trek Itinerary Management System and a Campsite Booking System has limited the income earning opportunities for villagers along the trail as they have no idea how many are arriving, or when, and are therefore unable to prepare goods and services to sell to them.

The failure to protect the welfare of PNG guides and carriers engaged by tour companies is a serious neglect of the KI/KTA ‘Duty of Care’ responsibilities.

PNG now has a choice. It can continue to allow its most popular tourism destination to exist with 3rd World facilities and a 3rd World management system dependent of foreign aid, or it can reclaim ownership of it and work towards achieving its potential as a world class pilgrimage tourism destination for the economic benefit of its traditional landowner communities.

Recommendation

1. PNG reclaim ownership of the Kokoda Trail by transferring responsibility for its management from CEPA to TPA;
2. The Australian Government be invited to fund the following four positions for a period of four years:
 - A Chief Executive Officer with extensive business-marketing experience in PNG
 - a Commercial Business Manager to develop and administer effective management systems for a Kokoda Tourism Management Company (KTMC);
 - a Landowner Liaison Officer to establish Incorporated Landowner Groups (ILGs) along the trail- these would become the major shareholders of the KTMC; and
 - a Chief Ranger with a National Parks background and practical-field experience in PNG.

If the Australian Government is not prepared to fund these positions PNG should be prepared to go it alone under the auspices of TPA.

3. The Australian Government should also be invited to engage Michael Pender of Hewitt Pender to develop a Military Heritage Master Plan for the Kokoda Trail.
4. The ‘Kokoda Initiative’ be redesignated as the ‘Owen Stanley Ranges Project’ within CEPA to reflect its proper role in environmental management;
5. The gazetted area of the Kokoda Trail be removed from the ‘Owen Stanley Ranges Project’ as wartime heritage is not a consideration for a World Heritage Listing and the Trail itself is PNGs most popular tourism destination;

6. An investigation be conducted into the approval process that resulted in a transfer of K350,000 of trek fee income to an Australian NGO for purposes unrelated to the management of Kokoda tourism.

ATTACHMENTS:

- A. Irregular Transfer of K350,000 of KTA Funds to an Australian NGO
- B. Factors relevant to the irregular KIC Meeting Minutes of 1/2023 to revoke Adventure Kokoda's Commercial Tour Operator's License

Attachment 1: Irregular Transfer of Trek Permit Fees to Australian NGO

Prior to 2008 the Trail was managed by the PNG Kokoda Track (Special Purpose) Authority (KTA), a statutory government body of the Kokoda and Koiari Rural Local-level Governments (LLGs) approved by the National Executive Council under the *Local-level Governments Administration Act 1997* and proclaimed by the Governor-General on 11 June 2003.

The KTA was established for the general purpose of assisting the implementation of the functions of the Koiari Rural Local-level Government and the Kokoda Rural Local-level Government and covered the areas of the Kokoda Track as defined in the Proclamations of those Local-level Governments made in accordance with the provisions of Section 27(1) of the *Organic Law on Provincial Governments and Local-level Governments*.ⁱⁱ

According to [KTA Newsletter No 1 of March 2005](#):

'Trek Permit Fee income is collected for funding community infrastructure projects with 20% being set aside for administration expenses.'

The current KTA website advises that [Kokoda Trek Permit Fees](#) are:

'currently the sole source of revenue for the Kokoda Track Authority and are used to fund Papua New Guinea staff salaries, pay office rental, undertake track maintenance, business planning and management and make land owner / community payments (Ward Development funding).'

The [KTA website](#) also advises that:

*'Since its restructure in early 2008, the Kokoda Track Authority (KTA) has reformed its financial and procurement procedures to provide accountability and transparency. The KTA now has robust, transparent financial management processes.'*²

The KTA website outlines the distribution of trek fee income for village projects in 2009 only. There is no record of any distribution for the following decade from 2010-2020 which contradicts their current claim regarding *'robust, transparent financial management processes'*.

Since Australian officials from DEWHA assumed responsibility for the Trail in 2009 the original disbursement of trek fees, which required 80% of trek fee income to be allocated towards *'community infrastructure projects'*, decreased to almost nothing as more money seemed to circulate in Port Moresby.

It was not possible to monitor the disbursement of trek fees because of the KTA refusal to publish financial statements in contravention of their statutory obligations and despite numerous requests.

In 2012 responsibility for the management of the KTA was transferred from the Australian CEO to the 'PNG Designate CEO' who had worked as his understudy. Unfortunately, the PNG 'Designate CEO' had no business qualifications or experience; was not provided with any management training during his tenure; and did not inherit any management systems as none had been put in place.

² This is a self-serving statement as the KTA has not published an annual financial report since Australian Government officials assumed responsibility for the Kokoda Trail in 2008. As a result, Kokoda trek operators, who generate the income that sustains the KTA via trek permit fees, have no idea where the money goes.

The PNG CEO was later humiliated when he was given a ‘dressing-down’ by the Australian High Commissioner in her office. This led to a bitter dispute with the DFAT Strategic Management Advisor who witnessed his humiliation but did not offer any support to him.

The DFAT Strategic Management Advisor was then declared *persona no grata* in the KTA office, and a stalemate ensued. This was eventually resolved after the PNG CEO was ‘promoted’ to an executive position with NCDC.

Mr Julius Wargirai, Deputy Secretary for Technical, Advisory Support Services at the Department of Provincial and Local Government, was engaged in an acting capacity.

Mr Wargirai has now been engaged in an ‘acting’ capacity for three years in contravention of the Public Service (Management) Act 2014 which stipulates that ‘acting’ appointments provide for ‘temporary assistance’ to a department ‘for a period not exceeding 12 months’³.

Mr Wargirai had no previous experience in business, tourism, trekking or military heritage. He was unable to rely on staff in his office as none had any qualifications or experience in any of these areas. No management systems had been put in place and no business development training had been provided.

After Mr Wargirai’s ‘acting’ appointment was confirmed, the DFAT Strategic Management Advisor moved back into the KTA Office.

Soon after Kokoda trek operators were advised that K350,000 had been withdrawn from the KTA Bank Account and ‘donated’ to an Australian NGO (KTFⁱⁱⁱ) for disbursement to support the payment of ‘educational supplements for villagers on and off the Trail’.

In the recent Annual Review of [the Papua New Guinea Australian Governance Partnership 2019](#) the author, possibly the DFAT Strategic Management Advisor, described the transfer as thus:

‘The program has entered a pivotal phase due to changes in key personnel within the Kokoda Track Authority, particularly the secondment of a chief executive officer (CEO) from DNPM. The change in approach is evidenced by recent efforts of the Kokoda Track Authority to channel undisbursed revenue into school fees (through an NGO partner) and by the revival of a Technical Working Group (including agency CEOs of the Kokoda Track Authority, National Museum and Art Gallery and CEPA, and DDAs) which has met four times in the past six months. These shifts have seen a sharp upturn in relationships between the Kokoda Track Authority and the other multiple stakeholders, including DFAT and the KIP delivery team.’

This is grossly misleading. The Acting CEO had not yet come to terms with his job because of the competing pressures he was confronted with on a daily basis which included:

- a dysfunctional Board of Directors which has never produced an Annual Report, a financial statement, or a set of Board Minutes;
- at least three Government Departments (Provincial and Local Level Government, CEPA, and PNG Tourism);
- two Provincial Governments (Central and Northern);
- two Local Level Governments (Koiari and Kokoda);
- 14 Ward Councillors;
- numerous landowners;
- up to 33 trek operators; and

³ Public Service (Management Act) 2014 Para 39 (b)

<https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/102735/124305/F-314343062/PNG102735.pdf>

- an aggressive Australian Kokoda Tour Operators Association (KTOA) which had been established to protect the financial interests of primarily eco-tour operators.

It is worthy of note that NEC Decision 123/2019 of 23 May 2019 *'noted the expiry of the Kokoda Track Authority Board in 2016 and directed that the Minister for Inter-Government Relations approve an Interim Board pending the establishment of the proposed legislation, consisting of the same positions as detailed in the 2008 Proclamation, but calling for new nominations for the positions of the Koiari and Kokoda Landowner representatives.'*

As a result, he neither had the time nor the resources to produce newsletters, financial statements or even answer emails.

The *'educational'* needs of remote families on and off the trail would not have featured as an issue for him in view of these competing demands at the time.

The author's assertion that the funds represented *'undisbursed revenue'* is disingenuous.

Trek operators, who have paid around K12 million in trek permit fees have been demanding that hygienic toilets be installed across the Kokoda Trail but not one has ever been built! They have also been denied information on the financial state of the KTA as no financial reports have ever been published.

Mr Wargirai contradicted the claim of *'undisbursed revenue'* made by the Kokoda Initiative in an email on 26 June 2019 where he stated:

'When I took office in November 2018, KTA was already without funds due to the closure of the track in mid 2018. KTA is a Special Purposes Authority established under the Organic Law on Provincial and Local Level Governments (does not have its own Act) and it does not receive direct Funding from the National Government, although it can be supported by departments and Provincial Governments that play some role in the Management and Administration of the Track.

'I have to run around seeing heads of relevant departments (DPLGA, Finance, Treasury, Planning and CEPA and TPA) to seek funding to get the operations of KTA going. I presented to them the status of KTA which convinced them to jointly agree and provide the support through properly approved release of government funds to get KTA operational until this year when it is anticipated to start tracking season again and commence receiving trekking fees (revenue) to support itself.'

Mr Wargirai commenced his tenure as *'Acting CEO'* of the KTA in November 2018.

Kokoda tourism goes into hibernation during the wet season from November through to April each year. As a result, there would have been no income from the time Mr Wargirai was first employed in November until the following April.

If the KTA was *'without funds'* in November 2018 as stated by Mr Wargirai, and there was no income from trek permit fees, where did they find K350,000 to give to a *'friendly'* Australian NGO who is not associated with trekking in March 2019?

The transfer was in contravention of the rules for the disbursement of funds advised by the KTA on 1 March 2005. It could not have been approved by the Board of Directors as there are no reports of the Board meeting during this period. It would thus appear that Mr Julius Wargirai was not authorised to approve such a large transfer of funds as he was seconded to his role in an acting capacity.

The approval process for the transfer apparently involved the Director of the National Museum and Art Gallery (NMAG), Dr Andrew Moutu; the Director of KTF, Dr Genevieve Nelson; and the DFAT Strategic Management Advisor, Mr. Mark Nizette.

KTF is an Australian NGO which has no association with the Kokoda Tourism Industry or the commemoration of our shared wartime heritage. Mark Nizette is closely associated with both Dr Moutu, CEO of NMAG, and Dr Nelson, an Australian academic ‘educator’.

Dr Moutu failed to declare he was a Director of KTF in the ‘approval’ process for the transfer of funds from the KTA to the KTF.

DFAT, the Kokoda Initiative, and KTA are listed as ‘Partners’ of the KTF [on their website](#).

This ‘partnership’ was not declared as part of the approval process.

Efforts to seek a response regarding the justification for the transfer of trek fee income and the approval process have been stonewalled by the KTA.

In a nutshell – Mark Nizette advised there was K350,000 in the KTA account when he was embedded back into the KTA office^{iv}. Julius Wargirai later advised that there were no funds in the KTA account when he was appointed Acting CEO.

An investigation into which one is telling the truth needs to part of a Terms of Reference for any investigation into the matter.

A further conflict of interest involves the relationship between the Kokoda Initiative and KTF since Mark Nizette was embedded back into the KTA office.

Around this time KTF announced that the Kokoda Initiative was one of their ‘Platinum Partners’ which is the highest level of partnership that usually involves payment of an annual cash or in-kind sponsorship.

It therefore begs the question as to the type of ‘donation’ the Kokoda Initiative makes to KTF in return for its Platinum status and was the K350,000 donated to KTF by the KTA part of their sponsorship arrangement.

The transfer process should therefore be subject of a formal investigation by the PNG National Fraud and Anti-Corruption Squad.

The Terms of Reference should have the scope to investigate:

1. Who was the author of the Papua New Guinea Australian Governance Partnership Report, 2019?^v
2. Why was the ‘*undisbursed revenue*’ referred to the Australian Governance Partnership Report 2019 not disbursed towards the upgrade of the Third World toilets across the Trail to meet the most basic hygiene standards for trekkers who paid the fees and/or to improve the basic standards of campsites along the Trail?
3. According to the email received by the Acting CEO on 26 June 2019 he was not aware of any ‘*undispersed income*’ when he was appointed in November 2018 – he also advised there was no money in the KTA account when he was appointed. So, who is telling the truth, the author of the Australian Governance Partnership Report 2019, or the Acting CEO?
4. Was a formal application submitted by KTF for a donation of K350,000?
5. Does the Constitution of the KTA provide for the approval of donations to NGOs - if the transfer of funds was not in accordance with the KTA constitution will the KTF be required to

repay the funds?

6. Given that the donation contradicts the information on the KTA website regarding the expenditure of trek fee income - did the Acting CEO of the KTA or the Australian Strategic Management Advisor seek legal advice to ensure there was no breach in governance because of the donation - if legal advice was provided is there a record of that advice?
7. How did KTF justify the figure of K350,000 - did they provide an itemised list of recipients, their contact details, and the amount to be paid to or on behalf of each student – if not, why not?
8. Did the Acting CEO of the KTA submit a formal request for the donation to the KTA Board of Directors for approval? If not, why not?
9. In view of NEC Decision 123/2019 of 23 May 2019 was an Interim Board appointed to the KTA at the time of the discussions re the transfer of funds to the KTF – if so is there a Board Minute which records their approval of the donation?
10. If a KTA Board did not approve the donation, or did not exist, who did?
11. Was the Acting CEO of the KTA authorised to approve the transfer of funds?
12. If it is claimed that Trek Permit Fees were not used for the donation, which Government Department was the source of the funds?
13. If the funds were provided by a PNG Government Department, why would they not have provided them directly to their schools in accordance with normal National and Provincial Government procedures?
14. Who decided that the transfer of trek fees for philanthropic purposes was more important than meeting the urgent needs of the people who paid the fees i.e., trekkers; or for local village communities who have not received their fair share of benefits from the Kokoda tourism industry for more than five years?
15. Has KTF acquitted the K350,000 they received?
16. Why did Dr Moutu fail to declare that he is a Director of KTF?
17. Was the relationship between Mark Nizette, Dr Andrew Moutu and Dr Genevieve Nelson declared in the approval process for the allocation of the K350,000 donation to KTF by the KTA? If not – why not?
18. Why did KTA fail to declare their partnership with DFAT, the Kokoda Initiative, and KTF?
19. The Kokoda Initiative is listed as a ‘Platinum Partner’ of the KTF:
 - a. Does the Kokoda Initiative pay an annual cash subscription for their Platinum Partnership? If so, what is the cost of their annual sponsorship?
 - b. If the sponsorship in an ‘in-kind’ partnership what KTF projects have been supported by the Kokoda Initiative and what was the financial contribution of each partner, i.e., the Kokoda Initiative and KTF to each project?
 - c. Was a cost-benefit analysis conducted for each project?

- d. If a cost-benefit analysis was conducted can copies of each one be provided?
 - e. What were the measurable outcomes from each project?
20. Was the fact that the Kokoda Initiative is a 'Platinum Partner' of KTF declared? If not, why not?

Attachment 2: Factors Relevant to the Kokoda Initiative Committee Meeting No. 01/2023

1. The Minister for Provincial and Local Level Government proclaimed the Kokoda Track (Special Purpose) Authority (KTA) in 2003.
2. A KTA Management Committee (Board) appointed by the Minister was '*charged with the strategic direction of the KTA, forward planning and issues management*'^{vi} and sworn in on 9 December 2004.
3. The Minister instructed the KTA Management Committee (Board) to report to the Minister for Tourism, Arts and Culture'^{vii} for matters regarding the management of the Kokoda Trail.
4. In 2015 the Minister for Environment, Conservation and Climate Change established a 'Kokoda Initiative Committee (KIC) as an advisory body comprising the following members:
 - a. Mr Gunther Joku CEPA (CHAIRMAN)
 - b. Dr Andrew Moutu NMAG
 - c. Mr Jacob Areman DNPM
 - d. Mr Jerry Agus TPA
 - e. Mr James Enage KTA
 - f. Mr Isaac Matia AHC
 - g. Ms Kay Kalim CEPA
 - h. Mr Mathias Jack KTCS
 - i. Mr Phillip Batia KTCS
 - j. Mr Gei Raga CPA
 - k. Mr Dickson Guina DPLGA
 - l. Mr Mark Nizette KI Secretariat**
5. According to the PNG-Australia Joint Declaration on the Preservation of the Kokoda Track Region of 10 September 2015, the Kokoda Initiative Committee was established with representation from Papua New Guinea and Australia to '*provide guidance and direction on the activities to be funded by the Papua New Guinea and Australian Governments under this declaration.*'^{viii}
6. This resulted in a situation where the KTA Board of Directors were charged with the '*strategic direction of the KTA*' under the auspices of the Minister for Tourism Arts and Culture while the KIC controlled the funding under the auspices of the Conservation Environment Protection Authority (CEPA).
7. The KIC has no legal jurisdiction over the management of the Kokoda Trail as this remained with the Minister for Provincial and Local Level Government - it is chaired by the Minister for Environment, Conservation and Climate Change and seems to be an informal amalgam of Government Ministers, officials, and observers.
8. A review of KIC meetings indicates it has no formal structure for the tabling, discussion, or approval of motions - it is not known if it has a formal constitution.
9. The KTA Management Committee (Board) appointed by the Minister for Provincial and Local Level Government did not have the expertise, resources, or support to operate effectively and was disbanded in early 2018 - its role was usurped by the KIC.

10. No members of the KIC have ever trekked across the Kokoda Trail with a professional pilgrimage group and are therefore unaware of the realities of Kokoda tourism – apart from the Secretary who trekked with a small eco-trekking company in 2004.
11. There is no record of the KIC meeting in the lead-up to the peak 2023 Anzac trekking period to discuss the condition of the Trail, safety, campsites, welfare of guides and porters, income earning opportunities for villagers, or the adequacy of toilets to meet the needs of trekkers.
12. Meeting No 1/2023 was called to discuss the revocation of the Adventure Kokoda Tour Operator's License for an alleged breach of 'PNG Law' regarding the payment of trek permit fees.
13. Members were not advised by the Acting CEO of the KTA that Adventure Kokoda had paid for all trek permit fees owing in accordance with the 'Koiari and Local Level Government Kokoda Track Trek Permit Laws 2005' one week prior to KIC Meeting 1/2023.
14. They were also unaware that the KTA Commercial Tour Operators License Conditions 2012^{ix} include a clause referring to the cancellation of a licence for a serious breach of the Licensing Conditions, but they do not define what a 'serious breach' constitutes.
15. A proposed update of the conditions in 2014 defined a 'serious breach' and provided for a penalty which *'could lead a Tour Operators licence being rescinded for one year'*,
16. The issue of 'Licensing Conditions' was included on the agenda of the KTA Tour Operator Forum in Brisbane on 17-18 March 2015. According to the Minutes of the forum it was resolved that the KTA would:
 - a. circulate current licensing conditions to licensed trek operators for review and comment.
 - b. consolidate comments and circulate a draft paper for review three (3) months prior to the next forum.
17. There is no record of the KTA taking any further action on these resolutions.
18. KIC Minutes 1/2023 do not record any form of declaration from the DFAT Strategic Management Advisor and Secretary to the KIC that he had issued a 'Concerns Notice' for a defamation action against a director of the company, Charlie Lynn and therefore had a Conflict of Interest.
19. There is no clear indication who chaired the meeting. Minister Kilepa was listed as the Chair but the record of the meeting indicates that Governor Juffa assumed control of it.
20. During the conduct of the meeting both Governor Juffa agreed with the CEO of the Tourism Promotion Authority, Mr. Eric Mossman, who suggested that the KIC *'might consider suspending the license rather than cancelling it.'*
21. Governor Juffa also agreed with Minister Isi Leonard that Adventure Kokoda's license should be cancelled immediately.
22. It was finally 'agreed' that *'Mr. Wargirai would prepare a letter for signature by the Chair of the KIC to the CEO of Adventure Kokoda stating their support for the CEO's action that the tour operator's license was to be cancelled or suspended immediately (according to the advice from the CEO).'*
23. The Minutes did not record whether the issue was put to a vote or who supported it. 37
24. The Minutes were not signed by the Secretary.

25. It is not known if the Minutes were approved as a true and accurate record at the following KIC meeting which are supposed to be held on a quarterly basis.

ⁱ <http://interpretivedesign.com.au/interpretive/signage/historical-heritage/kokoda-track-war-history-signage/>

ⁱⁱ KTA Newsletter. January 2006. No 2

ⁱⁱⁱ The Kokoda Track Foundation was established and funded by Charlie Lynn who was the Founding Chairman. The objective was to protect the wartime heritage of the Kokoda Trail through the development of a Strategic Plan which was completed and presented to the PNG Prime Minister, Sir Michael Somare, in 2006. Lynn resigned from the Board after this as they wanted to move towards philanthropy rather than our shared military heritage. As a result, they changed their name to 'KTF' and replaced the logo which was based on George Silk's famous photo of the 'fuzzy-wuzzy' angel escorting a wounded digger with a butterfly.

^{iv} <https://dfat.gov.au/about-us/publications/Documents/annual-review-of-the-papua-new-guinea-australia-governance-partnership-2019.pdf>

^v <https://dfat.gov.au/about-us/publications/Documents/annual-review-of-the-papua-new-guinea-australia-governance-partnership-2019.pdf>

^{vi} <https://www.kokodatrackauthority.org/kokoda-track-authority/organisation-chart>

^{vii} Ibid

^{viii} <https://www.dfat.gov.au/sites/default/files/preservation-of-the-kokoda-track-region-declaration.pdf>

^{ix} <https://www.kokodatrackauthority.org/PicsHotel/KokodaTrack/Brochure/2012%20Licence%20Conditions.pdf>