Proposed Resolution to the Illegal Blockade on the Kokoda Trail

KEY POINTS:

- The 138 km Kokoda Trail was gazetted with a 10m-wide reserve either side along its length in 1972.
- The military history of the Kokoda campaign is the key drawcard for Australians trekkers.
- The Kokoda Trail is PNGs most popular tourism destination generating an estimated K50 million for the PNG economy each year.
- The Australian government engaged the Australian National University (ANU) in Canberra to identify traditional landowners but the task was too complex for an accurate resolution.
- There is no evidence that Port Moresby based landowners who have orchestrated the blockade of the Trail at Nauro village are verified customary landowners.
- There is provision for the PNG Government to acquire the land gazetted in 1972 under the Land Act 1996 and the Lands Acquisition (Development Purposes) Act 1974
- Compensation for any such acquisition of the gazetted reserve should be in the form of tourism infrastructure which will create a sustainable economic future for traditional landowner communities.

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Hon Charlie Lynn OAM OL 7 October 2024

Preamble

The illegal blockade of the Kokoda Trail on 16 September 2024 poses an interesting dilemma for the PNG Government.

- Should it allow its most popular tourism destination to be held hostage by a group of unverified Port Moresby based landowners?
- Should it seek to reclaim ownership of it from the influence of Australian officials' intent of managing it as an aid-funded environmental park?

Australia's involvement in the management of the Kokoda Trail was triggered by a proposal to open a goldmine on an adjacent range in 2006.

Canberra's Department of Environment, Water, Heritage and the Arts (DEWHA) was the lead agency due to its responsibility for 'heritage' which included overseas areas of historical interest. They developed a 'Joint' Agreement with PNG Government in 2008 to assist with obtaining a World Heritage listing for the Kokoda Trail.

The following year they engaged Canberra's Australian National University (ANU) to conduct a Social Mapping Study for the Kokoda Track—Brown River Catchment Region which included the Koiari villages of Nauro, Menari, Efogi, Kagi and Naduri¹. The report noted that a '*key task is to determine how the population of landowners is distributed among different places*'ii. It was an inconclusive desk study which failed to identify landowners.

The study did not refer to the success of the <u>Kokoda Track Foundation community engagement</u> <u>strategies</u> involving village based workshops from 2004-2006.

In 2010 DEWHA was reorganized into the Department of Sustainability, Environment, Water, Population and the Arts (DSEWPA) – 'Heritage' was removed from their title.

In 2013 the DFAT Kokoda Initiative commissioned Dr. John Burton and Dr Linus S. Digim'Rina from ANU to complete their Social Mapping of the Koiari villagers.

Dr. Burton posed an interesting question under the heading 'Whose agenda? vs. What content? regarding what 'social mapping might entail, but one missing a crucial detail: who had commissioned our research project and therefore whose agenda were we running?'

The report noted the difficulty in identifying land ownership related to Mountain Koiari settlements 'undergoing cycles of fission and fusion' and noted that 'a social change of greater impact has been underway for the last half-century, namely mass migration out of the area.' iii

Nauro Villagers

The final report noted the following regarding Nauro villagers:

- 'Mountain Koiari villages, each located on or near a branch of the Brown-Nauro system, were socially isolated until the 1950s, typically marrying no further than two villages away, and with no known residents absent outside the area, with the possible exception of Seventh---Day Adventist students or lay workers at Bisiatabu, until WWII.'
- The traditional leadership position in Mountain Koiari clans is that of the *vata biage* (lit: 'land owner') or *vata kina* (lit: 'land head').
- Changes of leadership are theoretically possible if there are personal differences between brothers, but the more likely scenario if a brother disputes the authority of the *vata biage*, at least in traditional times, is that the clan would split into two local branches and one or other would break away to found a new settlement, or join a friendly clan at an existing

settlement.

- Although avidly denied of its existence since Christianity arrived, sorcery is a cause of such village splits and two examples are the fission about 20 years ago of the former Bodinumu into the current villages Maraba and Daoi in Ward 15, the fission of Naori into Naori 1 and 2 in Ward 18. Sorcerers may even be commissioned, it is said, from outside of the village.
- In summary, what we learn from the early reports is that a scattered, and wisely distrustful, population inhabited the headwaters of the Brown-Nauro system.
- The Brown-Nauro catchment takes in the entirety of the Central Mountain Koiari villages, plus Nauro, which Dutton classes as a Southern Koiari village.
- At the same time as Mountain Koiari settlements are undergoing cycles of fission and fusion, a social change of greater impact has been underway for the last half-century, namely mass migration out of the area.
- The key drivers of emigration for the Mt Brown people were the lack of services and income earning opportunities in their home area. The few functioning schools meant that children were frequently sent to stay with relatives who had migrated earlier to Port Moresby. The same reasons for migration are given by Mountain Koiari informants today.

Who Speaks for Land Among the Koiari People?

In answer to who speaks for land among the Koiari people the report noted the term 'landowner' misrepresents the functions of the *vata biage*, which are, so far as can be discerned, managerial in nature:

- To speak on behalf of rank and file members of the lineage on land matters.
- To master the land knowledge, *vata lulele* (lit: 'land wisdom') on behalf of the lineage.
- To showing his own eldest son around the land and its boundaries and teach him the vata lulele.
- To consult the senior men in of the lineage before announcing a decision on their behalf.
- To arbitrate land disputes among members of the lineage.
- Both Pidgin--- and English---speaking Mountain Koiari informants used the more accurate gloss 'land director' for the position during our fieldwork.

The report posed the questions:

- 'What happens if the *vata biage* lives in Port Moresby and makes decisions without consulting the villagers?
- What if the *vata biage* has a personal conflict of interest?
- If he is made the signatory of a trust account, will he share resource rental benefits fairly?
- What sanctions does he have to enforce his decisions?
- If a village splits in two as a result of a conflict, and half the village go to live somewhere else, how is he able to exercise authority over the splinter group?'

'To take the last of these issues just mentioned, settlement fission, many examples are known from the area. In the last few decades, as already mentioned (p. 7), both Bodinumu and Naoro have split into two halves.'

The report recommended:

• The next priority is to break down the overall catchment of the Brown--- Naoro River system into sub catchments capable of being matched against the land holdings of the local branches of clans found at each village. The geospatial unit at DEC should take the lead in this work. As much preparatory work as possible should be done in producing satellite maps,

topographic overlays etc, prior to starting a round of sub catchment mapping in the field

- although the succession of the *vata biage* seems clear in principle, transitional problems are likely to occur when one becomes infirm or dies, if a village splits in two, or if, hypothetically, a city--- based candidate successor not in possession of the requisite knowledge were to try and claim the position. This is leads to conclusion that reliance on *vata biage* for consultation purposes, however, important they are locally, should be avoided.
- A round of village visits will be required to initiate community consultations over sub catchments.
- Community consultations in relation to the sub catchments should focus on the local branches of clans that are their custodians. It is not enough to say 'we have consulted the community' in relation to land and resources without ensuring that the people consulted correctly represent the relevant land interests.
- The composition of residents' committees or working groups to which community consultation for sub catchments is devolved should be verified with the aid of the genealogical database currently under construction at DEC.
- At this point, it will be possible and probably quite straightforward to work with the residents' committees in local branches of clans to map the boundaries of lands and waters which each local branch of a clan is the custodian of.

There is no record of these recommendations being followed up.

On 24 November 2023 the Canberra Kokoda Initiative announced:

'Clan leaders in the Kokoda Track region have recently signed a historic agreement. The agreement provides the leaders' consent for their lands to be made a protected area under Papua New Guinea's national law.'

This begs the following questions:

- 1. What process was used to identify and validate the clan leaders who signed their 'historic agreement'?
- 2. Were they Port Moresby-based or village-based landowners?
- 3. Were any of the signatories to the 'historic agreement' engaged in the illegal blockade of the Kokoda Trail on 15 September 2024?

Canberra's Joint Declaration - Proposed Kokoda Track Management Authority

In 2015 Australia and PNG signed a Joint Declaration which included a provision to 'keep the track open, safe and preserved as shared heritage'. This had no impact on landowners who continued to close sections of the Trail every year since then as a means of expressing their grievances based on their perceived failure to receive a fair share of benefits from pilgrimage tourism.

In 2022 a Canberra proposal to establish a 'Kokoda Track Management Authority' responsible to the PNG Minister for Environment, Conservation and Climate Change coincided with the reorganization of DSEWPA as the Department of Climate Change, Energy, the Environment and Water (DCCEEW) in Canberra.

Neither the Minister for Veterans Affairs, the Australian War Memorial, nor the PNG Minister for Tourism, Arts and Culture were invited to develop policy aimed at enhancing the value of the pilgrimage which has seen 65,000 Australians trek across it over the past two decades.

As a result trekker numbers have fallen by 46% since the Canberra assumed responsibility for the management of the Kokoda Trail in 2009.

Illegal Blockade: 16 September 2024

The Illegally blockade by a group of unverified Nauro landowners on 16 September 2024 is the culmination of a failed strategy by a succession of Canberra environment agencies in their bid to assist PNG to obtain a World Heritage listing for the Kokoda Trail and Owen Stanley Ranges in 2008.

The blockade has exposed the neglect of the PNG Government to acquire the 20-metre wide, 138 km Kokoda Trail between Owers Corner and Kokoda as gazetted in 1972; its impotence in enforcing the law since the Police Commissioner declared it to be illegal, and the lack of concern for vulnerable village-based landowners who have lost their economic livelihood during the peak of the Kokoda tourism season.

Kodu Goldmine Misconception

Australia's successful intervention to stop the proposed Kodu goldmine was based on the impact it would likely have on the gazetted Kokoda Trail between Owers Corner and Kokoda – not just the section on the adjacent range to Nauro village.

The proponents of the mine acknowledged this fact through their offer to invest in the physical maintenance of the entire 138 km Kokoda Trail as well as education support for all villagers.

Whilst there is some uncertainty about the amount of compensation received by Nauro landowners for the withdrawal of the approval for the mine to proceed (somewhere between K6-K10 million) there is no evidence that the financial windfall was not shared with their fellow landowner communities across the gazetted Kokoda Trail.

The relocation of villagers from Nauro to Port Moresby suggests all the funds were kept to themselves.

How was the compensation for the Kodu Mine invested?

This is a crucial question because Nauro-based villagers were financially illiterate - as a result they would have been vulnerable to exploitation by more 'savvy' financial advisors in Port Moresby. If they were left to their own resources to invest the money as they pleased then answers to the following questions should be sought:

- What was the amount of compensation was approved by National Executive Council in 2010?
- Did the Government seek to offer financial advice to the recipients of the compensation payout?
- How much compensation was paid to the Nauro Landowners?
- Was the compensation paid to an individual on behalf of the villagers; divided among the landowners in the villages of Nauro 1 and 2; or paid into a consolidated fund?
- How were the funds invested and distributed?
- If the funds were invested in a business what is the profit/loss record of that business since 2010?
- What is the current financial situation of the recipients of the compensation?

Questions for organisers of the current blockade at Nauro

The shutdown of the Kokoda Trail and the resultant denial of up to K2 million in foregone earnings for all village communities between Nauro and Kokoda begs the following questions:

- How many of the organisers of the current blockade live in Nauro village?
- How many are verified landowners?
- How many live in Port Moresby?
- Did the organisers of the blockade advise the KTA of their intention to block the Trail at Nauro if so what action did the KTA take to warn tour operators who had scheduled tours booked for the peak September-October trekking period?
- What plans, if any, do the organisers of the blockade have to compensate losses incurred by villagers between Nauro and Kokoda for the losses they have incurred?

• If the organisers of the blockade are successful in obtaining further compensation for the closure of the Kodu mine what are their plans for sharing it with all village communities between Owers Corner and Kokoda?

Landowner Communities

Landowner communities have a right to shared benefits in the form of employment opportunities, campsite fees, site fees and value adding initiatives such as welcome ceremonies, re-enactments, local sing-sings and services to meet the needs of trekkers.

These can be identified and monitored through the conduct of annual village-based workshops and an effective Kokoda Ranger Monitoring System.

The lack of any follow-up Social Mapping studies in partnership with the University of Papua New Guinea (UPNG) and the Department of Lands is a serious dereliction of responsibly by the Canberra funded Kokoda Initiative.

Landowner Distribution between villages and Port Moresby^v

VILLAGE	RESIDENT	ABSENT	TOTAL	%	% ABSENT
				RESIDENT	
KAGI	99	336	435	23%	77%
NADURI	131	224	375	35%	65%
EFOGI	207	787	995	21%	79%
MENARI-LONI	116	199	526	27%	73%
NAURO 1&2	168	299	467	36%	64%
TOTAL	721	1845	2798	26%	74%

Note: Figures relevant as at 2010



Figure 16. Routes taken on field trips displayed in Google Earth, viewed from the north---east. Yellow: 19 Sep--1 Oct. Orange: 10---25 Nov 2010. Green: Kokoda Track.

Government-Landowner Demarcation

The Kokoda Trail has the potential to be a world class pilgrimage tourism destination capable of providing a sustainable economic future for traditional landowner communities.

Government therefore has a responsibility to ensure:

- The gazetted 20 metre, 138 km, Kokoda Trail is acquired as a national tourism asset for the benefit of all landowner communities between Owers Corner and Kokoda:
- The identification of landowners within the gazetted boundaries of the Trail;
- The phased development of military heritage and tourism infrastructure to enhance the value of the pilgrimage for international tourists while providing income-earning opportunities for village communities;
- Assistance in the development of management systems that provide for security of investment, good governance, transparency, personal safety, annual village-based workshops^{vi} and shared benefits for landowner communities; to provide personnel and logistics support to Australian Kokoda tour operators; and
- A system for providing educational benefits for the families of Port Moresby based landowner communities.

Case Study re Influence of Absent Landowners

The insidious influence of Port Moresby based landowners was evident in the conduct of workshops and forums conducted by the <u>KTA CEO</u>, <u>Rod Hillman</u>, in Port Moresby after he was appointed to the position in 2009. Hillman had no previous experience in dealing with Melanesian culture, would not take advice, and had no appreciation of the pilgrimage across the Trail as he did not trek it until the end of his tenure in 2012.

The following extracts from my diary regarding one of my many mapping expeditions to produce a <u>Kokoda Trail Topographical Map</u> provide a snapshot of my experiences with Port Moresby 'influencers' over village-based landowners:

Efogi Labour Assistance

In 2010 I was conducting a mapping expedition to identify the wartime trail between Brigade Hill and the Kagi Gap. I assembled a team of six guides for the task but after some heavy going between wartime Efogi and wartime Kagi it was apparent we needed more support.

We returned to Efogi to engage a couple more carriers however I was told the village had received instructions not to provide any support to my mapping expedition directly from Port Moresby.

The leader of our team, Sullivan, told me to wait until he went over to his near-by village of Naduri to recruit some men from his own clan.

We had a couple of hours to fill while waiting and got into conversation with the Efogi villagers who I knew, and who were keen to talk. When I asked why they had been instructed not to help me they did not know the reason however it was clear the main perpetrator calling the shots was a KTA Board Member (who later embezzled some K250,000 from the KTA bank account with the assistance of his 'wan-toks' within the banking system).

The Australian CEO who assumed control of the KTA in 2009 was advised of the heist which had been well documented, but chose to ignore it rather than create an 'incident'.

I asked what would happen if they did support me. They advised that when they, and/or their families, went to stay in their 'wan tok' settlements on the outskirts of Port Moresby they would be bashed.

There are other examples of the influence of a Port Moresby based 'mafia' along the Trail such as the vexatious land-claim over Lake Myola which destroyed the income earning potential of the

traditional landowners at a cost of around PNGK1 million in lost income since it was initiated – it was eventually thrown out of court, but the damage had been done and the income earning potential has since been lost.

We advised the Australian KTA CEO of the vexatious nature of the claim based on our dealings with landowners over the previous decade, but he refused to get involved because the chief proponent of the claim was a member of his KTA Board. The campsite, one of the best across the Trail at the time, is now derelict and the local community has lost a significant, sustainable source of income.

The Australian CEO never learned that appearement is not respected in the Melanesian culture as he did not trek across the Trail until the end of his two-year tenure.

Conflict between Environment and Pilgrimage Tourism

It is worth noting that 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:

'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 the Kokoda Initiative isn't doing its job through the Conservation Environment Protection Authority (CEPA) and focusing on priority areas facing a higher degree of environmental threat such as Lihir, Tonda, and Bagiai.

It's 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, <u>Dr Peter Hitchcock</u>, 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.'

The latest attempt to wrest control of the Kokoda Trail seems to reflect a desire to create an aid-funded environment empire in PNG. The proposed 'Kokoda Track Management Authority' (KTMA) Act developed by the Kokoda Initiative Strategic Advisor, Mr. Mark Nizette MBE will sit beside the 'Climate Change and Development Authority' within the Conservation Environment Protection Authority.

Mark Nizette's proposed KTMA Bill will represent a <u>suicide note for pilgrimage tourism</u> across the Kokoda Trail if it is approved by the PNG Government.

Conclusion

While Port Moresby based landowners argue over the diminishing spoils of Kokoda tourism all other village-based communities across the Kokoda Trail are being denied jobs during the most popular trekking period of the year.

Responsibility for the current situation rests squarely with Canberra funded Kokoda Initiative officials who have used the term 'Kokoda' to give relevance to an environmental agenda which has resulted in a decline of 46% since they assumed responsibility for the management of the Kokoda Trail in 2009.

They have clearly failed in their responsibility to 'keep the track open, safe and preserved as shared heritage' under the provisions of the Joint Agreement signed in 2015.

The identification of village-based landowners should have been their most fundamental priority along with the conduct of village-based workshops. Their failure to address these two priority areas has denied village-based landowners a voice in their own affairs and contributed to the current situation.

Villagers also have a sense of isolation from Kokoda tourism as they have never been taught how to earn additional income by providing services to meet the needs of trekkers. They are therefore mere spectators to a passing parade of trekkers. These issues have been well canvassed in the past but ignored.

Canberra officials have also been in denial over the fact that the wartime history of the Kokoda Trail is the major reason Australians choose to trek across it. This is evident in their failure to invest in a single significant military heritage site since they assumed responsibility for its management in 2009.

Their engagement of an American anthropologist without any military service credentials as Australia's National Military Heritage Advisor, under a recruitment process that could best be described as dodgy, illustrates the contempt they have for the Kokoda campaign. <u>Our calls for an investigation into the process have been ignored.</u>

Canberra's priority on environment over pilgrimage tourism is also puzzling given that the Owen Stanley Ranges have not been assessed by the international <u>Rapid Assessment and Prioritisation of Protected Area Management</u>' to be under any form of environmental threat.

The PNG Government has a choice between allowing its most popular tourism destination to continue being managed as a foreign aid-funded environment park, or having it managed as a professional tourism enterprise for the economic benefit of village communities across the Trail.

Recommendations

- 1. The PNG Government acquire the 20 metre wide,138 km Kokoda Trail between Owers Corner and Kokoda as gazetted in 1972 as a national tourism asset under the authority of the Land Act 1996 and the Lands Acquisition (Development Purposes) Act 1974.
- 2. The 'Kokoda Initiative' be rebadged as the 'Owen Stanley Ranges Initiative' to reflect its focus on environment issues.
- 3. Canberra accepts the military history of the Kokoda campaign is the major drawcard for Australians who choose to trek across it.
- 4. Responsibility for oversight of the Kokoda Trail in Canberra be transferred from the Department of Climate Change, Energy, Environment and Water (DCCEEW) to the Department of Veterans Affairs which is responsible for the Australian War Memorial and the Office of Australian War Graves.
- 5. Responsibility for management of the Kokoda Trail in PNG be transferred from the Minister for Provincial and Local Level Government Affairs, and the influence of the Minister for Environment, Conservation and Climate Change, to the Minister for Tourism, Arts and Culture.
- 6. A Joint Agreement for the commemoration of our shared wartime heritage between Australia and PNG be developed with the Department of Veterans Affairs and the PNG Tourism Promotion Authority as the lead agencies.

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ⁱ Kokoda Track-Brown River Catchment Region Preliminary Social Mapping Study. Hank Nelson, Chris Ballard, John Burton, Nicole Haley, Deveni Temu. ANU Canberra. 30 June 2009

ii Page 62. Para 260

iii https://png-data.sprep.org/resource/kokoda-initiative-phase-2-social-mapping-final-report-fieldwork-koiari-rural-llg-2010-2012 Page 25

iv https://www.dcceew.gov.au/parks-heritage/heritage/international-projects/papua-new-guinea

v Table 6. Page 39

vi An annual workshop for Port Moresby based landowners should also be considered.