

# State should lead Social Mapping and Landowner Identification (in petroleum projects)



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# Presentation outline

The presentation is in two parts:

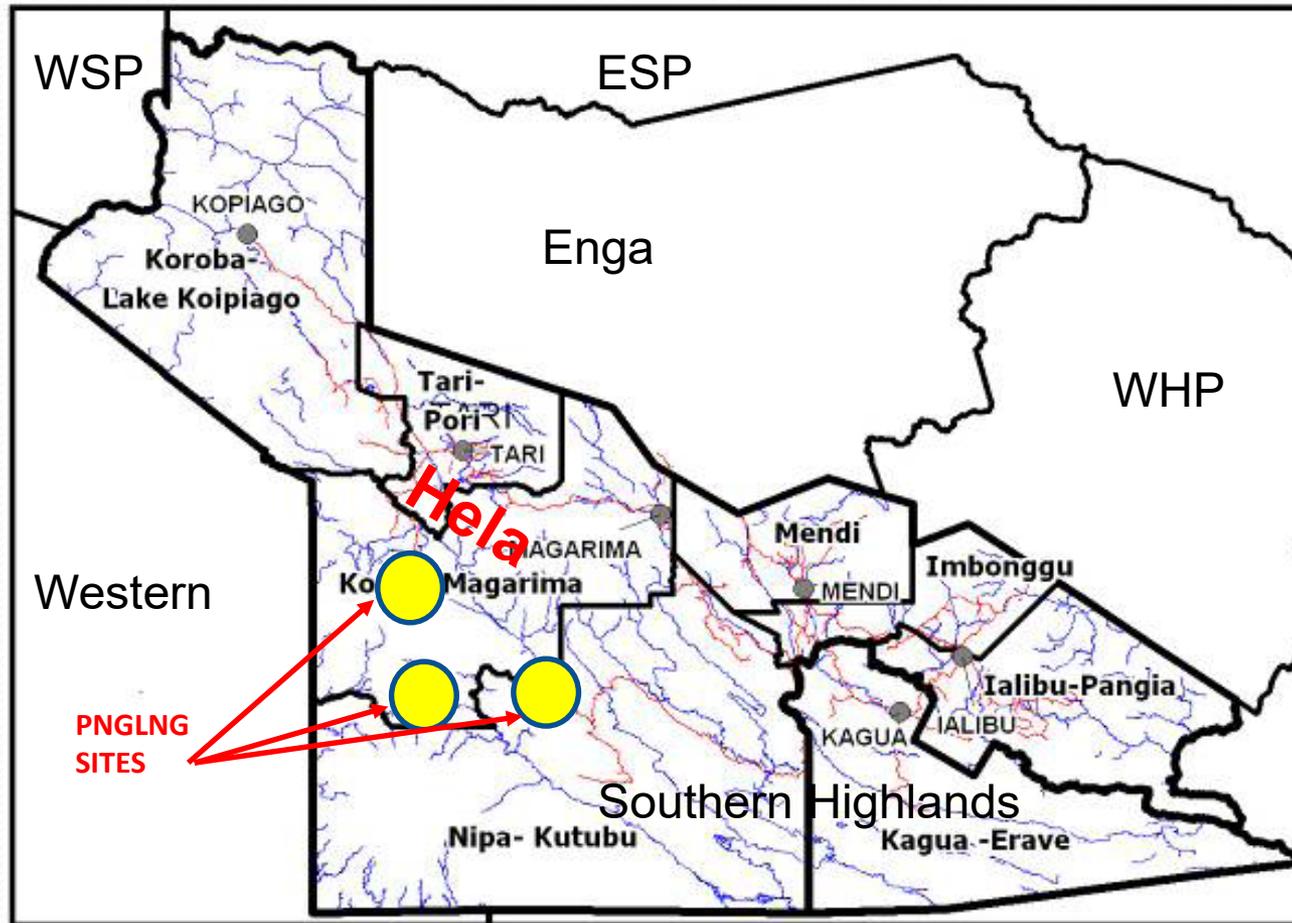
- Part 1: Brief on the presenter's PhD study (origin of the topic)
- Part 2: State taking ownership of SMLI

# Part 1: Origin of this presentation

- This presentation emanates from one of the recommendations of the presenter's PhD thesis titled '*Communicating with indigenous landowners in a liquefied natural gas project: A Papua New Guinea case study*' (Pamba, 2018).
- Doctoral study location: PNG LNG Project sites in Hela Province



# Location of study: Hela Province



## Intent of the study

- The study set out to explore and understand the Papua New Guinea Liquefied Natural Gas Project (PNG LNG) in Hela Province whereby landowner representatives and leaders have been constantly raising their concerns about the project in the mass media and other forums (Pamba, 2018).

# Theoretical framework for the design of the study



## Research approach

## Qualitative

### Epistemology

Phenomenology  
Emancipatory

### Theoretical perspectives

Development communication Theory  
Stakeholder Theory  
Corporate Social Responsibility (CSR) Theory  
Communicative Action Theory  
Indigenous Knowledge systems

### Methodology

Case Study

### Methods of data collection

Interview (in-depth/unstructured)  
Focus group  
Observation  
Document analysis  
Photographs

# Property of State (Western perspective)

- **Oil and Gas Act 1998**

Section 6 (1) ... “all petroleum and helium at or below the surface of any land is, and shall be deemed at all times to have been, the property of the State.”



# Property of State (western perspective)

## PNG Constitution

### National Goals and Directive Principles

#### 2. Equality and participation.

- *We declare our second goal to be for all citizens to have an equal opportunity to participate in, and benefit from, the development of our country.*

#### 4. Natural resources and environment.

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

# Gigira Lai-repo prophecy (Indigenous perspective)

- Mt Gigira



*“Well, the PNG LNG, Kevin the PNG LNG project, was prophesied in the Hela prophecy. The Hela prophecy says that fire in the ground, an eternal fire, once the fire is taken out of the earth it will light up the world, the immediate and the unknown world. So that prophecy was passed from generations down... And legend has it that we must not give the gas away, we must tell them, we must not give them the fire away. But we must develop the fire. And let them only take the flame, not the source.”  
(4A, 2013)*

# Mt Gigira



# Figurative Lai tree (indigenous perspective)



Central to this is the myth surrounding the burning flame on Mt Gigira or the *Gigira Lairepo*, translated as the burning wood of the Lai tree on Mt Gigira, which the Hela people believe that its eventual discovery, extraction, export and commercial use was prophesied eons ago.



# Lairepo prophesy (indigenous perspective)

- Man with 'red legs' (or agali honapi in Huli)
- Will come asking for fire
  - Do not give agali honapi the entire lairepo burning in the fire place
  - Give him only the flame; leave the rest of the lairepo burning
  - Giving the entire burning lairepo to the man with 'red legs' will bring doom and gloom to Hela



# Tindi apa and gas apa discourse (indigenous perspective)

- Tindi - Huli for land
- Apa – is literally father, and also means owner
- Tindi apa – owner/father of land
- Gas apa – father/owner of gas
- Hela landowners in project sites in my study presented themselves interchangeably as tindi apa and gas apa
- Based on their lai-repo prophesy the tindi apa believe they are the owners of the gas (gas apa) as well.

# Tindi apa and gas apa



# Who tells the tindi apa he is not the gas apa?

- Waijeli – outspoken men/orators, gifted warriors (Wolfers, 1969)
- Akali timbuni homoko – leaders with wealth/headman, great orators or head man (Glasse, 1968).
- Some Waijeli and Akali timbuni homoko are employed by company in Community Affairs work.
- Elected LOA leaders – mostly based in Port Moresby
- Department of Petroleum not present in Hela – office closed in 2009 due to security reasons.
- DPE short-staffed and under-resourced.
- SHPG built DPE office in Komo but was not used
- LOs travel to POM or make phone calls
- DPE staff travel to the project areas on a needs basis.

## Main issues for the tindi apa (some findings)

- The indigenous landowners were more concerned about their mandated and perceived benefits (Pamba, 2018)
- Environmental and cultural concerns were secondary and considered from a compensatory stance (Pamba, 2018).
- State was not present on the ground to hear out the people.

# Going forward (study recommendations)

- DPE needs to be present in project areas (arrange with PGs and DDAs).
- Educate public on why State has to own Petroleum resources on behalf of all citizens.
- Stakeholders need to better appreciate indigenous worldviews on land and resource ownership
- **State ought to lead a multi-partisan social mapping and LO identification program.**
- LOA leadership has to be rotational; elect reps on rotation.

## Part 2: Social Mapping and Landowner Identification Study (SMLI)

- A study carried out by a licensee in a PPL, PRL or PDL as required by Section 47 of the Oil and Gas Act 1998 to map out social, economic and environment landscape of a license area. This includes identification of households, clans in landowner communities through the associated process of “clan-vetting” since renamed at the end of 2017 as “landowner beneficiary identification” (or LOBID).

## SMLI failure in Hela

- The process was not complete, especially clan-vetting, by the time of Project Agreement in 2008, UBSA in 2009, start of construction in 2010 and first gas export in mid-2014.
- Landowners “hand picked” and taken to Kokopo for the Umbrella Benefit Sharing Agreement or UBSA in 2009 (Pamba, 2018)

## SMLI challenge in Hela ....cont

- ‘Ol gavman tokim mipla lo sain na mipla sain, tasol nogat andastending. Mipla no ridim na sainim. Na mipla sainim na bihain gen ol karim kam bek lo ples blo mipla na projek em ol statim nau. So hau ol andastendim na husait sainim long en em ol save olsem karim kaikai oh nogat em mi no klia. Mi bin go tasol, mi no klia gut. M no ridim agrimen; sainim em mi sainim. Ol polisman bin lainap lo displa taim.’ (Participant 3M1)

## SMLI challenge in Hela ... cont

- ‘The Oil and Gas Act (1998) is very clear. Before any forum was held landowners must be identified. One of the key issues we discussed at the forum ( in Kokopo in 2009) was that as soon as the forum was concluded, the landowners will be identified but landowners were never identified and gazetted until even now, it’s not done yet. And you are now interviewing me (on 22 October, 2013) at a time when the Department of Petroleum and Energy officers and their consultants are here trying their best to identify who are the thousands of people who will benefit from this project.’ (Participant 4B from Komo-Margarima DDA)

# State 'take back' SMLI

The PNG state ought to take ownership of SMLI.

- Amend section 47 of OGA 2018 and give responsibility to the State and its agencies and people and licensees can be partners.
- The recent discourses on reforms in resources legislations are welcomed with caution

# State 'take back' SMLI ...cont

## Potential benefits of State-led SMLI:

- State has an elaborate network of its agencies from NCD down to the Wards in the LLGs. Make this network work
- Papua New Guineans know themselves better, let them be actively involved in SMLI.
- Get our struggling national universities and research outfits involved in SMLI and generate revenue.
- When it is the licensee's responsibility, they have the right to get consultants from elsewhere to do SMLI. Expertise is imported and money repatriated.
- The licensee should be a contributor to SMLI (eg, pay for part of the cost of SMLI )

# Takeaway:

- 'Make your own bed, and enjoy the sleep'

# Hareme ore (thank you in Huli)

