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Excellency,

I write to inform you that in the course of its 78th session, the Committee considered information on allegations of threat to indigenous peoples lands in Papua New Guinea, on a preliminary basis, under its early warning and urgent action procedure, in light of information submitted by non-governmental organizations.

The Committee expresses its concern about information according to which indigenous lands are under threat of alienation through the government's practice to issue long-term leases to non-indigenous companies over indigenous lands, as allowed by Land Act (1996). It is also concerned about the alleged dramatic acceleration of these arrangements (known as "Special Agricultural and Business Leases") which are reportedly concluded without seeking the consent of indigenous landowners as required by the Land Act (1996); the indigenous landowners are allegedly not adequately informed on the purposes for which the land is acquired and on the environmental consequences of activities planned by non-indigenous mining companies.

The Committee is also concerned about the alleged denial of access to judicial remedies to indigenous landowners by the Compensation (Prohibition of Foreign Legal Proceedings) Act (1996) to seek redress before foreign courts, including compensation for environmental destruction of their lands and resources. Moreover, the Committee is concerned about the Environmental (Amendment) Act 2010 which also allegedly denies indigenous peoples from seeking redress before national courts against environmental permits granted that negatively impact their lands and resources.

The Committee urges the State party to provide information to the Committee on measures taken or envisaged to ensure that the application of the Land Act (1996) does not result to alienation of lands belonging to indigenous peoples; measures to ensure that all leases are granted with prior and informed consent of indigenous peoples; and measures taken to grant indigenous landowners access to justice and an effective remedy in case of violation of their rights.

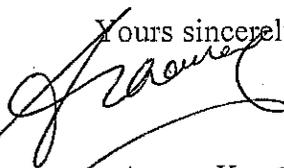
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In accordance with article 9 (1) of the Convention and article 65 of its Rules of Procedure, the Committee would be grateful to urgently receive information on all of the issues and concerns as outlined above, before **31 July 2011**.

In this context, the Committee notes with concern that the State party has not submitted its overdue reports since 1984. The Committee urges the State party to submit its overdue reports, in one document, in order to resume the dialogue.

Allow me, Excellency, to reiterate the wish of the Committee to continue to engage in a constructive dialogue with the Government of Papua New Guinea, with a view to provide it with assistance in the effective implementation of the Convention.

Yours sincerely,



Anwar Kemal
Chairperson of the Committee on the Elimination
of Racial Discrimination