



UNITED NATIONS HUMAN RIGHTS TREATY BODIES

HAUT-COMMISSARIAT DES NATIONS UNIES AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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19 January 2026

Excellency,

I write to inform you that the Committee on the Elimination of Racial Discrimination (“the Committee”) received information under its early warning and urgent action procedure in relation to the use of Special Agricultural Business Leases (“SABLs”), and logging licenses, namely the Forest Clearing Authority (“FCAs”), and their impacts on Indigenous Peoples despite the action taken by the Government. In this regard, the Committee recalls its previous letters, dated [11 March 2011](#), [17 February 2016](#), and [14 December 2018](#), to which the State party has regrettably not provided any response.

According to the information received:

- There have been delays and a lack of transparency in implementing the National Executive Council's decision in June 2014 to revoke the Special Agricultural and Business Leases (SABLs) as recommended by the National Commission of Inquiry into the legality of SABLs, which concluded that most of the SABL leases were unlawful due to corruption and mismanagement.
- 20 Special Agricultural and Business Leases (SABLs) have been revoked, and an additional 20 SABLs are under investigation pending the conclusion of court proceedings, according to a statement made by the Minister for Lands, Physical Planning and Urbanisation to Parliament in 2022. However, the list of SABLs has not yet been made public, which prevents impacted Indigenous Peoples from exercising their right to access justice and remedies for the occupation and damage to their lands, territories and resources resulting from the SABLs.
- Absence of effective remedies, including fair and just compensation for lands, territories, and resources owned or traditionally used by Indigenous Peoples that have been occupied or damaged under the SABLs.
- Abuses by private businesses of the Forest Clearing Authority (FCA) logging concessions, in violation of the provisions of the Forestry Act 1991 (as amended), to avoid the more stringent requirements and application process, particularly with regard to the requirement to obtain the prior, informed and free consent of Indigenous Peoples and the logging volume, under the primary licence intended for the management of large-scale and long-term logging, the Forest Management Agreement (FMA) logging concession.

H.E. Ms. Michelle Hau'ofa
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- Irregularities and a lack of public information regarding the implementation of the Forest Authority audit of existing Forest Clearing Authority (FCAs), as well as the moratorium on issuing new Forest Clearing Authority (FCAs), in accordance with the decision by the National Forest Board adopted in 2023.

The Committee is concerned that the allegations regarding the delay in the SABLs revocation process and the impacts of abuses by private businesses of the FCAs, if verified, would infringe rights of the Indigenous People protected under the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD). Specifically, the Committee is concerned about the adverse impacts on the Indigenous Peoples' rights, particularly their right to own, develop, control and use their communal lands, territories and resources, and their right to access to justice, effective protection and remedies - particularly fair and just compensation.

In this regard, the Committee recalls its General Recommendation [No. 23 \(1997\) on the rights of Indigenous Peoples](#) and its previous concluding observations concerning Papua New Guinea (CERD/C/62/CO/12).

In accordance with Article 9 (1) of the Convention and Article 66 of its Rules of procedure, the Committee kindly requests the State party to provide information on the above-mentioned allegations, particularly the SABLs revocation process and the abuses of the FCAs on rights of the Indigenous People, by 17 April 2026.

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 ensuring the effective implementation of the Convention.

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,

A handwritten signature in blue ink, reading "Balcerzak" with a stylized flourish at the end.

Michal Balcerzak
Chair

Committee on the Elimination of Racial Discrimination