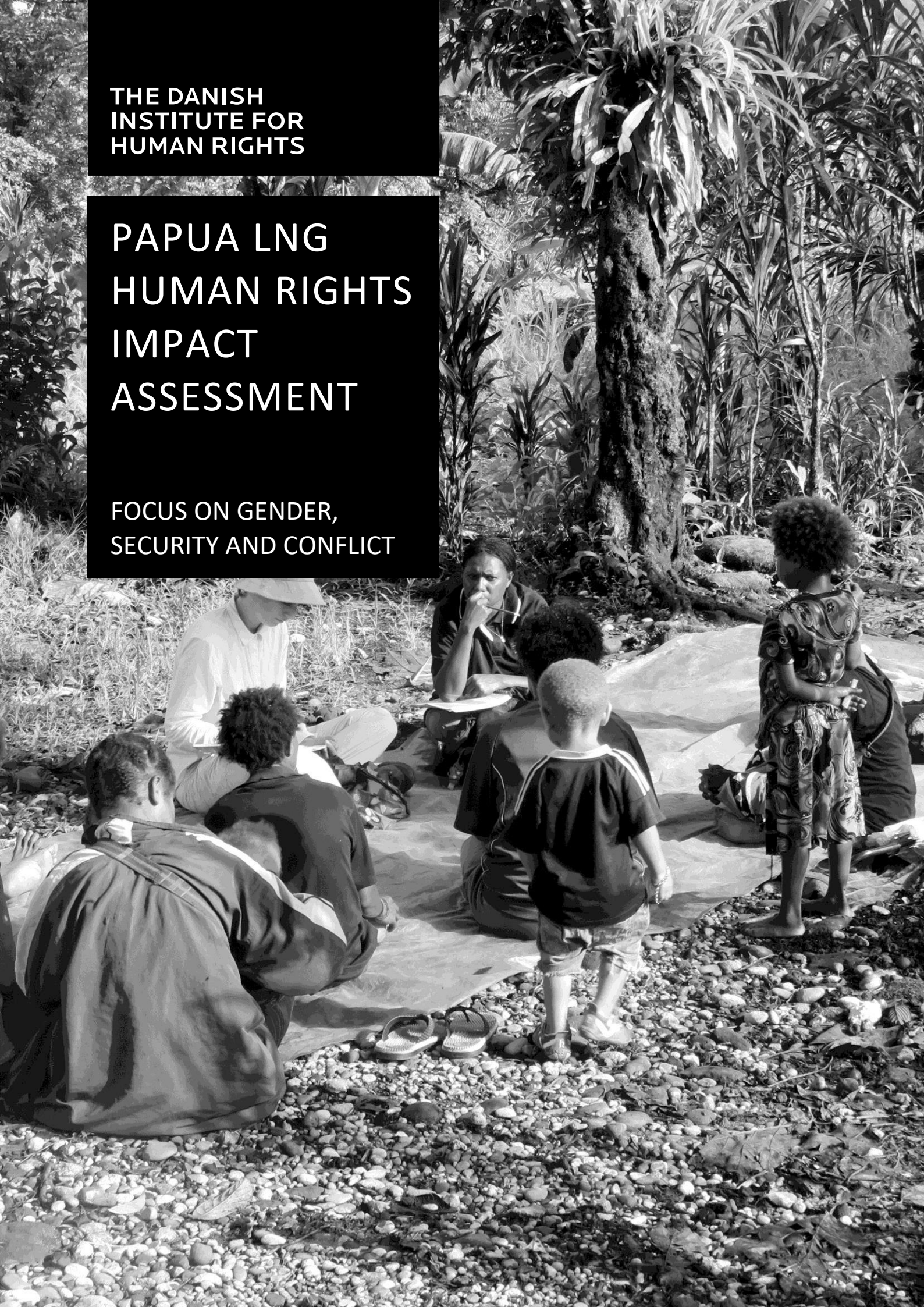


THE DANISH
INSTITUTE FOR
HUMAN RIGHTS

PAPUA LNG HUMAN RIGHTS IMPACT ASSESSMENT

FOCUS ON GENDER,
SECURITY AND CONFLICT



**PAPUA LNG HUMAN RIGHTS IMPACT ASSESSMENT
FOCUS ON GENDER, SECURITY AND CONFLICT
JANUARY 2019**

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ABBREVIATIONS

CA	Community Affairs function in TEP PNG
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CLUA	Clan Land Use Agreement
CSRM	Centre for Social Responsibility in Mining
DIHR	Danish Institute for Human Rights
EITI	Extractive Industries Transparency Initiative
ESHIA	Environmental, Social and Health Impact Assessment
FEED	Front End Engineering Design Phase
FPIC	Free Prior and Informed Consent
HIV	Human Immunodeficiency Virus
HRIA	Human Rights Impact Assessment
IFC	International Finance Corporation
ILG	Incorporated Landowner Group
JV	Joint Venture
KPI	Key Performance Indicator
LNG	Liquefied Natural Gas
MRDC	Mineral Resource Development Corporation
MOU	Memorandum of Understanding
PAOI	Project Area of Influence
PNG	Papua New Guinea
RPNGC	Royal Papua New Guinea Constabulary
PRL15	Petroleum Retention Licence 15 area
SMLI	Social Mapping and Landowner Identification Study
SOP	Standard Operating Procedure
SOR	Sakura Osura Resources
TEP PNG	Total Exploration and Production PNG Limited
UDHR	Universal Declaration of Human Rights
VPSHR	Voluntary Principles on Security and Human Rights

PART 1

1 INTRODUCTION

This summary report presents key findings and recommendations of a human rights impact assessment (HRIA) conducted for the **Papua LNG Project** (the Project) in March 2017.

The report is structured into two parts. Part 1 comprises the introduction to the assessment and overview of the Project Area of Influence (PAOI). Part 2 presents a summary of the key findings and recommendations of the HRIA with regard to human rights due diligence and the three thematic areas: **gender, security and conflict**. A contextual overview is provided for each of the three thematic areas. The report was drafted in 2017 and reflects findings and recommendations at that time.

1.1 OVERVIEW OF THE PAPUA LNG PROJECT

The Papua LNG Project is a proposed project for the extraction and processing of Liquefied Natural Gas (LNG) in Gulf Province, Papua New Guinea (PNG). The Joint Venture (JV) is comprised of Total E&P PNG Limited (40.13%) (TEP PNG), ExxonMobil (37.03%) and Oil Search Limited (22.84%), with TEP PNG being the operator. The Elk-Antelope field, located within the Petroleum Retention Licence 15 area (PRL15), is a significant gas discovery in PNG. It is located approximately 120km inland from Kerema, and 340km northwest of Port Moresby. At the time of the assessment, the Project was in the preparatory pre-front end engineering and design (pre-FEED) stage; and the environmental, social and health impact assessment (ESHIA) was under way, with most of the baseline studies completed at the time of the HRIA.

1.2 HRIA AIMS AND OBJECTIVES

The **aims and objectives** of the HRIA were to:

- I. Identify and describe the actual and potential human rights risks and impacts of the project;
- II. Propose material and actionable recommendations to avoid and mitigate the identified impacts; and
- III. Engage internal and external stakeholders in dialogue about human rights and the human rights and business framework.

The HRIA was timed so that key findings and recommendations could feed into the ESHIA process and management plans.

1.3 ASSESSMENT SCOPE

The **thematic scope** of the HRIA focused on the topics of **gender, security and conflict**. These topics were selected to avoid duplication between the HRIA and other baseline studies, and to specifically focus on potential impact areas identified by the ESHIA studies team as warranting additional attention from a human rights perspective. As such, the HRIA presents a targeted, rather than a broad, human rights impact analysis. The assessment also includes human rights due diligence recommendations. The **geographic scope** of the assessment included PRL15 and the proposed pipeline areas of the PAOI (see Figure 1), excluding the proposed LNG Plant site at Caution Bay. Notwithstanding the positive impacts that the oil and gas industry may have, in line with the United Nations Guiding Principles on Business and Human Rights (UN Guiding Principles), the assessment focused on identifying potential adverse impacts and measures to address these.

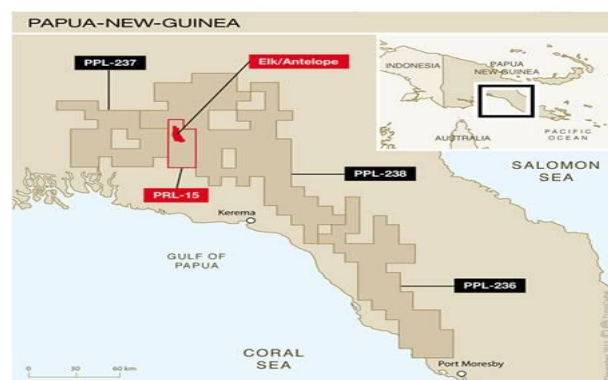


Figure 1. Location of the Papua LNG Project

1.4 METHODOLOGY OVERVIEW

The assessment was conducted in March 2017. The **methodology** consisted of desk-top research and 10 days of fieldwork in Port Moresby and Gulf Province. The fieldwork included engagement with TEP PNG, civil society and government stakeholders in the form of semi-structured interviews (predominantly in Port Moresby), as well as semi-structured male and female focus group discussions with local community stakeholders in the PRL15 and pipeline areas. The Danish Institute for Human Rights (DIHR), Denmark's National Human Rights Institution, was commissioned by Total S.A. to conduct the assessment. The HRIA team consisted of three assessors – from DIHR, the University of Queensland's Centre for Social Responsibility in Mining (CSRMI), and Tanorama (a PNG social consulting firm), respectively. A more detailed account of the methodology, including associated limitations, can be found in Annex A.

2 THE PROJECT AREA OF INFLUENCE

2.1 OVERVIEW OF THE PAOI

The **PAOI** is a remote and sparsely populated region, inaccessible by road with extremely limited government presence or services. The PAOI comprises 39 villages and at least seven different language groups – totalling approximately 12,700 people in 2016. Most people live a subsistence lifestyle with only around 12% of people from the PAOI engaged in the formal workforce. It is a relatively young population, with approximately 40% of the population being less than 15 years of age, approximately 1/3 of school-age children attending school, and high rates of illiteracy amongst the adult population. Customary landownership is vested in clans and generally transferred through patrilineal descent systems (which can also entail descendants through women). Social relations in the PAOI are strongly gendered, with women and men taking different roles within the family and in society. Following the reforms enshrined in the Organic Law on Provincial Governments and Local-Level Governments 1998, District Administrations and Local-Level Governments (LLGs) are responsible for ensuring the delivery of essential social services throughout Gulf Province but have a very limited presence in the PAOI. Donors and civil society have made some contributions to education, health, and law and order infrastructure; however, these have been ad hoc and sometimes poorly implemented. Other than the churches, there are very few civil society organisations in the area and general economic infrastructure is extremely limited. The main industries within the PAOI are logging and petroleum exploration, with timber permits covering almost all of Gulf Province.

2.2 GEOGRAPHY AND DEMOGRAPHICS OF THE PAOI

Gulf Province is comprised of coastal zones, an extensive delta area, and a large expanse of flat lowland forest and river systems, reaching up to a mountainous interior hinterland. The PRL15 area is characterised by mountains, hills and levee plains. The northern two-thirds of PRL15 comprises southeast to northwest trending ridges and folded terrain of the lower Eastern Highlands, up to approximately 450m in some locations (see Figure 2). Terrain in the southwest of PRL15 lowers to the plains of the Purari River basin, that are typically subject to frequent inundation from overbank river flows during the wet season.¹

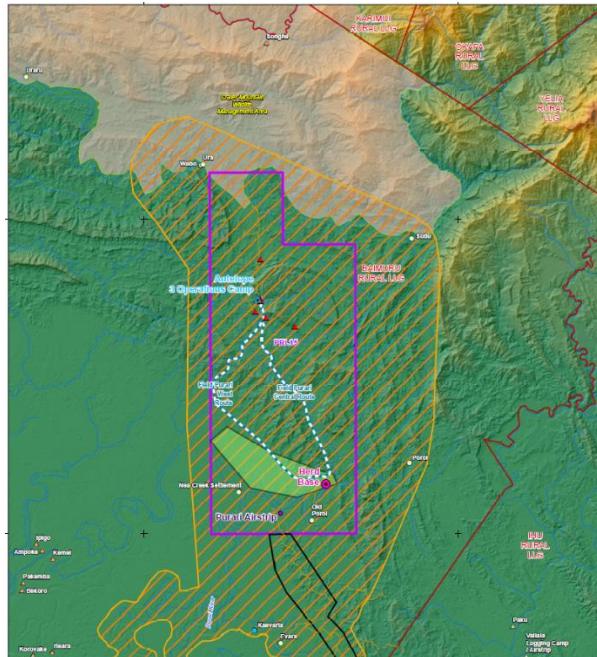


Figure 2. Overview of PRL15

There is no road access to PRL15. All villages within PRL15 are located within the Baimuru Rural Local-Level Government in the Kikori District of Gulf Province. Gulf Province is one of the least developed regions in PNG, and government services throughout this district are limited (health, education, law and order, etc.). The low inland population is scattered or concentrated in small villages along riverbanks and a much denser population reside in larger villages and hamlets along the gulf coastal strip (see Figure 3).

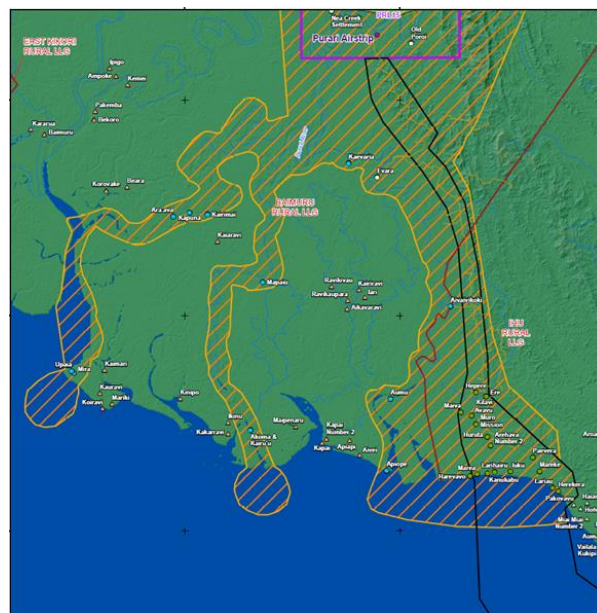


Figure 3. Pipeline corridor

As noted above, the PAOI comprises 39 villages and one government station and seven different language groups – totalling approximately 12,700 people.² Within PRL15, 11 landowner groups/clans have been identified through social baseline studies. Throughout the PAOI most villages have between 4 to 12 clans.³

Basic PAOI community demographics outlined in the social baseline studies include:⁴

- Approximately ½ the population understand English; almost all understand Tok Pisin and local language.
- Approximately 3% of marriages are polygamous.
- Approximately 40% of people are less than 15 years of age.
- The average household size is 6.7 people.
- Approximately 30% of school age boys and 35% of school age girls are attending school.
- Approximately 20% of males and 33% of females above 16 years of age indicated they cannot read or write.

2.3 SOCIAL ORGANISATION AND LEADERSHIP

The Community and Demographics Baseline Study identified language group membership and ecological zone as key determinants of current lifestyles and social organisation.⁵ Generally, social groups are organised throughout the PAOI in terms of larger language groups, clans, sub-clans and lineages (or family groups).⁶ Each village typically identifies with a single tribe or language group, comprised of different clans. A clan is usually a group of families with a common ancestor or lineage. In the PAOI, clans will identify themselves, and their customary land, through oral histories, including genealogies, stories, beliefs, customs and practices. Clan members may reside in different villages, but they generally reside in villages speaking the same language. Ideally, the clan provides a safety net for the welfare of its members. In some cases a process of segmentation is underway, as landowning groups split into smaller autonomous groups as a result of internal disputes or to claim ownership of specific lands and any land-related benefits.⁷

Social relations in the PAOI are strongly gendered, with women and men taking different roles within the family and in society. Traditional forms of leadership throughout the PAOI communities was both ascribed, through hereditary chiefly status that passed along paternal lines, and achieved through male displays of efficacy in fighting and managing resources.⁸ Most communities recognised a hierarchy of traditional leadership positions that could include village chiefs, long house chiefs, and ritual chiefs, and men of great social influence or hunting prowess.

The 20th Century ushered in a series of external influences to the Gulf Province region that profoundly altered local forms of leadership. The extent to which ‘traditional’ forms of leadership have eroded or changed differs across the PAOI communities. During the pre-Independence era an extended labour recruitment scheme, the colonial Government’s creation of the village constable system, missionary influence, and the introduction of cash cropping and iconoclastic socio-political movements ultimately helped to create new and competing paths to leadership. In the post-Independence era, new layers have been created through the roles of elected government officials, law enforcement, church leadership, and business. Contemporary leadership within the PAOI continues to transform in response to new opportunities, and as the Project develops it can be expected that this will create new leadership challenges and opportunities. Although the role of clan leaders, or chiefs, is changing over time, and is often blurred or conflicts with other leadership roles, they are generally expected to provide leadership in matters impacting on resource access, relationships with other groups or communities, and maintaining peace and law and order.⁹ However, as is the case elsewhere in PNG, leaders do not always conform to social expectations. The critical challenge of leadership in resource extraction contexts is the propensity for some leaders to usurp democratic forms of interest group leadership. This is especially notable in the election of office-bearers within landowner representative associations, whereby over time more inclusive forms of representation become more exclusive, as elected leaders and office-bearers become less accountable and restrict the distribution of resource rents and benefits, marginalising some legitimate holders of rights and interests.

2.4 LANDOWNERSHIP

The Constitution of the Independent State of Papua New Guinea 1975 recognises customary forms of landownership, and as a result a very large proportion of the country’s land mass remains under various forms of customary ownership.¹⁰ Customary landowners can influence what happens on their land, and as a result, landowners expect to directly benefit from large-scale natural resource extraction projects. National legislation, specifically the Oil and Gas Act 1998, requires prospective resource extraction projects to identify customary landowners through social mapping and landowner identification (SMLI) studies. These landowners can then expect to be included in any benefit sharing agreements established by the project.¹¹

Throughout Gulf Province and the PAOI more specifically, landownership is vested in clans and generally transferred through patrilineal descent systems (through membership of the father’s clan group, although there are also descendants through women). Only a small fraction of land has been alienated, for government or mission stations; however, logging concessions cover the

majority of the province. In the PAOI, the majority of villages have registered Incorporated Land Groups (ILGs) as the legal vehicles for registering and defining customary landownership and group membership, and the distribution of any benefits related to projects occurring on their land.¹² Whilst ILGs may be one mechanism used for the distribution of project benefits, this is not a given, as the Government may opt to use a different mechanism for the Papua LNG Project, e.g. business groups, clan associations, individuals or other. The presence of different distribution mechanisms in the PAOI may present a conflict risk, which would need to be addressed depending on the mechanism chosen by the Government. Around half of the villages are involved in a landowner association and/or landowner company, more commonly on a tribal or project basis. The majority of these organisations were previously established to participate in logging projects, although landowners have generally not benefited as expected, and many existing ILGs are not expected to meet the new requirements outlined in the Land Groups Incorporation (Amendment) Act 2009.¹³

2.5 GOVERNANCE AND ECONOMIC DEVELOPMENT

Throughout the PAOI, society and economy is influenced by several social structures and governance arrangements, including:¹⁴

- Traditional, or customary, social structures and forms of leadership
- Religion
- Government administration
- Donors and civil society
- Logging projects
- Petroleum projects.

Following the reforms enshrined in the Organic Law on Provincial Governments and Local-Level Governments 1998, District Administrations and Local-Level Governments (LLGs) are responsible for ensuring the delivery of essential social services throughout Gulf Province. However, the provincial government and its lower branches has a very limited presence throughout the province and very few communities have access to basic service delivery, especially within the PAOI. Around three quarters of all villages in the PAOI have a local-level government ward councillor, but little or no money is received to implement projects at the village level; a similar number of villages are served by a village court system. There is an overwhelming sense among PAOI communities that the Government has neglected or abandoned them. Donors and civil society have made some contributions to education, health, and law and order infrastructure; however, these have been ad hoc and sometimes poorly implemented.¹⁵ Other than the churches, there are very few civil society organisations operating in the

area; most villages have a youth group, a women's group and/or a church group.¹⁶

Economic infrastructure in the PAOI is extremely limited. There are no banks/banking agencies or postal services within the PAOI; mobile phone coverage extends to approximately 66% of PAOI villages; and the only source of electricity is from privately owned solar panels and generators. People predominantly rely on canoes and dinghies for river and sea transport, and the only roads are temporary logging roads within the forestry concessions.¹⁷ The only operational airstrips are located at Purari and Wabo; these are utilised by TEP PNG and private charter planes, and there are no commercial services available to PAOI communities.

Most villagers in the PAOI live a subsistence-based lifestyle. According to the baseline studies, only 17% of men and 8% of women are engaged in formal employment or business activities. The main sources of formal employment are the Government, church agencies, logging and TEP PNG. Some income derived from the sale of betel nut, fish, crabs, garden produce and sago.¹⁸ The main industries within the PAOI are logging and petroleum exploration.¹⁹ Timber permits cover almost all of Gulf Province and many landowners within the PAOI have experience of large-scale logging activities. Many may therefore believe that petroleum development will have similarities with logging activities – which are largely perceived negatively.²⁰ TEP PNG and the logging companies use barges to deliver equipment and materials – which many communities associate with a range of adverse impacts, including swamping of canoes, riverbank erosion, damage to fishing nets, water pollution, and scaring away fish and other wildlife.²¹

2.6 VULNERABILITY IN THE PAOI

Due to a number of factors – the isolation of the area, existing socio-economic indicators, limited government presence, gender relations etc. – pre-existing vulnerability (i.e. prior to the impacts generated by TEP PNG's operations) in the PAOI communities is pronounced. Project-induced vulnerability is not inherent, it is context-specific and can be understood through the interplay of four factors: (i) exposure to risk and adverse impacts; (ii) sensitivity to those risks and impacts; (iii) adaptive capacity; and (iv) the suitability and strength of mitigation plans and activities. As such, vulnerable individuals and groups: (i) are usually exposed to several risks and adverse impacts at once; (ii) are more sensitive to those risks and impacts, having been subject to pre-existing discrimination, financial, socio-economic, cultural and/or gender inequalities, the nature of their geographical location, their dependence on the environment and/or limited or no access to

justice and decision-making; and (iii) have a weaker adaptive capacity for coping with those risks and recovering from those impacts, due to limited access to necessary assets and/or resources.²² As a result, they also risk being affected by project-related risks and adverse impacts. Whilst it therefore remains essential to differentiate between the different rights-holders in the PAOI to understand their particular vulnerabilities – e.g. widows, female-headed households, the elderly or persons with disability may be considered particularly vulnerable – it should be reiterated that the majority of people living in the PAOI present some pre-existing vulnerability characteristics, and that the sensitivity of the social parameters for this particular Project require heightened care to ensure that adverse impacts on PAOI communities, including human rights impacts, are effectively avoided and minimised.²³

2.7 HUMAN RIGHTS IN THE PAOI

Human rights are universal legal entitlements held by all people by virtue of being human. However, the precise ways in which human rights are understood and exercised may differ depending on the specific country and cultural contexts. Whilst some people in the PAOI are well educated and are more globally connected and likely to share universal values, many of the PAOI community members are likely to understand human rights through a more specific cultural lens. This means that communication with PAOI rights-holders and other stakeholders about human rights due diligence and human rights impact mitigation will require translating international human rights standards and principles into a language that makes sense in the local context, and that strategies implemented to respect and support human rights realisation in the PAOI must speak to the local context. We hope that this report will provide one basis for supporting such cross-cultural dialogue and enable stronger engagement between TEP PNG, PAOI rights-holders and other stakeholders.

PART 2

3 DUE DILIGENCE

3.1 INTRODUCTION TO HUMAN RIGHTS DUE DILIGENCE

The corporate responsibility to respect human rights, as outlined in pillar two of the UN Guiding Principles, requires business enterprises to avoid infringing on human rights and to address any adverse human rights impacts with which they are involved through a process of due diligence.

The corporate responsibility to respect human rights is a baseline standard of expected business conduct. This means it applies to all companies, in all situations. It extends to the full range of internationally recognised human rights. This means that at a minimum, companies must respect all human rights enumerated in the International Bill of Human Rights and the labour rights contained in the International Labour Organisation's Declaration on Fundamental Principles and Rights at Work. According to the specific circumstances and context, businesses are expected to consider additional standards. For example, if the company has activities that affect Indigenous Peoples, rights such as those outlined in ILO Convention No. 169 and the UN Declaration on the Rights of Indigenous Peoples should be considered. Businesses are expected to consider actual and potential human rights impacts which are caused by the business, impacts that the business contributes to, and impacts that are directly linked to a company's operations, products or services through business relationships. In order to meet the corporate responsibility to respect human rights, businesses are expected to have in place: a policy commitment to respect human rights; a human rights due diligence process; and processes to enable the remediation of any adverse impacts the company's activities have on human rights.

Human rights due diligence is a process that a business needs to undertake to identify, prevent, mitigate and account for how it addresses adverse human rights impacts. According to the UN Guiding Principles, a corporate human rights due diligence process should comprise the following elements:

- Assessing actual and potential impacts of business activities on human rights;
- Acting on the findings of this assessment, including by integrating appropriate measures to address impacts into company policies and

practices;

- Tracking how effective the measures taken are in preventing or mitigating adverse human rights impacts; and
- Communicating to the outside world about the due diligence process and results.

3.2 SUMMARY OF KEY FINDINGS AND RECOMMENDATIONS REGARDING DUE DILIGENCE

- Overall, TEP PNG was found to have good operational architecture in place to support human rights due diligence. This included **strong policies and procedures** aligning with international good practice, but also and importantly, **capable staff in key roles** that evidenced a good level of understanding of international good practice standards and were cognisant of the basic principles of the business and human rights framework. **Strong senior leadership** and internal support for human rights impact management was in place, as well as **good collaboration between key functions**, e.g. security and community affairs (CA).
- Given the low level of Project knowledge amongst PAOI communities, **commencing a community capacity building and engagement program immediately** will be essential to facilitate their meaningful participation in impact management going forward. This community engagement program must be gender sensitive and focus on **fostering community understanding of the Project and the ESHIA process**, and **building community capacity and readiness to meaningfully participate in the Development Forum**. The Development Forum is the primary process whereby the three tiers of government and the landowners that will be affected by a proposed project negotiate the distribution of project-related benefits (for a description of the Development Forum see Annex C).
- The **Social Mapping and Landowner Identification Study (SMLI)** for the pipeline – which according to the Oil and Gas Act 1998 must be completed prior to the Development Forum – **should be completed as soon as practicable** (i.e. as soon as the project design is determined and the elections have taken place). This is because the SMLI provides a key framework for future negotiations with landowners and lessons learned from other PNG natural resource projects have shown that where landowners are not identified in a timely manner this leads to conflict. In the meantime, the TEP PNG approach consisting of asking the Department of Lands to perform a

Land Investigation Study at the same time as the SMLI on the Pipeline Export corridor (to support the findings of the SMLI) should be maintained. Finalisation prior to completion of the ESHIA is advisable to ensure that impacted landowners and communities are properly identified and considered in the impact assessment and management planning. The **methodology and team for the SMLI** should include both female and male study team members, include a requirement to engage and consult with women, and allow sufficient time for a thorough analysis. Appropriate software should be used to create durable and updatable knowledge of PAOI communities, and that integrates with other systems (eg. GIS systems). The results of the SMLI should inform negotiations at all levels, so that 'community leaders' who are present at negotiations are those identified in the SMLI studies. The alignment of the SMLI studies and agreement implementation should continue through project construction and operational phases.

- **The ESHIA should be completed in a holistic manner** – i.e. completing all baseline studies and impact analysis together rather than a partial completion for regulatory compliance followed by subsequent additions – **and include additional dedicated points for community participation in the finalisation.**
- Re-enforcing a focus on **forward looking impact management**, internally and externally, will be beneficial – including planning for the inclusion of relevant **independent third party monitoring of impact mitigation plans** and considering models of **joint participatory community-company monitoring** for key impacts of concern to communities.
- Increasing the financial, staff and physical resources for the **Community Affairs (CA) function** will be necessary; including developing and implementing a **dedicated training program for CA officers** that includes human rights, **recruiting more female CA officers**, supporting the function with relevant **anthropological expertise**, and making provision for regular time in the work schedule for the CA team to work together. Opportunities for **formalising the collaboration between the CA and security functions** can be realised.
- **TEP PNG should reasonably endeavour to adopt the Principles for Responsible Contracts** in the negotiation of the gas agreement (the state-investor contract); in particular to ensure that environmental, labour and other such laws are explicitly excluded from any stabilisation provisions and that the agreement is published in full. The Principles for Responsible

Contracts, developed under the auspices of the UN Guiding Principles on Business and Human Rights, set out ten key principles to guide the negotiation and content of State-investor contracts to ensure greater compliance of foreign investment projects with international human rights standards.²⁴ Whilst some content of the gas agreement may be pre-determined if a model contract is proposed by the Government, the Principles for Responsible Contracts can nevertheless provide useful guidance regarding the negotiations process itself, as well as the content components that may be negotiable.

- Opportunities to consolidate and **strengthen collaboration with external human rights actors and resources** can be realised. For example, continuing to support the PNG Extractive Industries Transparency Initiative (EITI) implementation through full compliance with EITI requirements and ongoing participation on the **EITI Working Group**; and ensuring that social and human rights matters are clearly included within the scope of TEP PNG's **Environmental and Societal Consultative Committee**, e.g. by including relevant third party members on this Committee.
- **Stronger due diligence processes for contractor management** are warranted – in particular with the view to the construction phase of the Project – including measures to avoid child labour risks, verifying the eligibility of local labourers, and supporting opportunities for female employment and business opportunities through local supplier and/or landowner companies.

4 GENDER

4.1 INTRODUCTION TO GENDER AND THE RIGHTS OF WOMEN AND GIRLS IN THE PNG EXTRACTIVE INDUSTRIES AND PAOI CONTEXT

4.1.1 CHALLENGES TO THE RIGHTS OF WOMEN AND GIRLS IN PNG

The Constitution of the Independent State of Papua New Guinea 1975 demands 'equal participation by women citizens in all political, economic, social and religious activities.'²⁵ The persistence of significant structural inequalities between women and men throughout PNG present major challenges to the rights of women and girls and the realisation of this national goal. Deeply ingrained cultural attitudes and economic relations that naturalise male entitlement and female disadvantage prevent gender equality and the empowerment of women.²⁶ At the same time, important shifts have occurred, and there is an increasing level of public debate concerning gender equality evidenced through social media debates and numerous campaigns, public protests and workshops.

Gender-based violence is defined by the UN Committee on the Elimination of Discrimination against Women as 'violence that is directed against a woman because she is a woman or that affects women disproportionately.'²⁷ It includes sexual violence but is not limited to this, including also harmful traditional practices such as early marriage and denying girls the right to education, and socio-economic violence such as denial of property rights or discrimination in seeking access to social services and legal remedies for breaches of women's human rights.²⁸ Gender-based violence is the most common form of interpersonal violence in PNG and presents the greatest threat to women's rights.²⁹ Earlier studies in the 1980s confirmed that violence was prevalent in urban and rural households throughout PNG,³⁰ and a number of recent studies signal that violence is increasing in both incidence and severity.³¹ Medecins Sans Frontieres estimates that the rates of sexual and gender-based violence are amongst the highest in the world outside a conflict zone,³² and it is estimated that 70% of PNG women will experience rape or sexual assault in their lifetimes.³³ The problem has reached such epidemic³⁴ proportions that in 2005 UNICEF warned that rape was a 'major threat to social stability and economic development.'³⁵

The complex nexus between growing law and order challenges and entrenched HIV also pose serious implications for the nation's future, and the rights of women in particular.³⁶ These challenges have assumed new dimensions with an apparent upsurge in sorcery accusations and related retributive violence against women, who are disproportionately targeted.³⁷ At the same time, contemporary forms of polygamy and bride price practices among some PNG societies, especially in cash rich resource extraction project areas, do little to advance the human rights of PNG women.

4.1.2 WOMEN'S RIGHTS AND THE LAW

Although numerous legal protections exist for women, these are often inconsistently implemented across the country. A 2014 Amendment to the civil registration law banned polygamy, and marital rape was criminalised in 2003. In addition, the Family Protection Act 2013 makes family violence a crime punishable by up to two years in prison or a substantial fine.³⁸ PNG ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1995, but this made limited impact in practice. In 2010, the UN Committee on the Elimination of Discrimination against Women expressed its 'serious concern about the persistence of harmful norms, practices and traditions, as well as patriarchal attitudes and deep-rooted stereotypes, regarding the roles, responsibilities and identities of women and men in all spheres of life.'³⁹

Access to effective remedy for gender-based violence remains problematic. In some areas women face an increased risk to personal safety if they report crimes, and few women trust the police, especially since some police have been proven as perpetrators of gender-based violence or routinely dismiss complaints lodged by women.⁴⁰ In 2010, the UN Special Rapporteur on Torture noted that few cases of abuse are ever prosecuted or even documented,⁴¹ and one 2013 study demonstrated that the probability of a man being successfully prosecuted for domestic abuse was just 1:338.⁴²

Despite the many challenges, some headway has been made. National movements like the Haus Krai campaign which calls for an end to violence against women, the establishment of the Family Sexual Violence Action Committee, and various programs that support the establishment of Family Sexual Violence Units in police stations and Family Support Centres in hospitals, are gaining traction and help to provide a greater level of support to victims. Male advocacy programs led by church-based agencies, such as the 'Men's Matters' program led by Caritas,⁴³ provide an important pathway for engaging men in solutions to gender-based violence.

4.1.3 WORKING WOMEN IN PNG

It is notoriously difficult to establish accurate employment statistics for PNG. Nonetheless, it is consistently reported that across PNG a much lower percentage of women hold jobs in the formal economy – men are almost twice as likely as women to hold formal employment and on average earn twice as much as women.⁴⁴ While these figures differ slightly according to region, industry or sector (public/private), they evidence persistent forms of gendered inequality.⁴⁵ The difficulty of obtaining formal employment is especially pronounced in rural areas, including Gulf Province.⁴⁶ This can be attributed, in part, to relatively low education and literacy levels, and to cultural barriers facing women who need to travel to work, engage with men, or sleep away from home.⁴⁷ Throughout PNG, economically active women have a ‘double work day’ – responsibilities for home and family plus economic activities (both formal and informal) – and many report working nearly twice as many hours as men, on average.

The recent resource extraction boom has increased the demand for labour throughout the country, and has provided new opportunities for women to be economically active through formal employment, business, and informal activities. This has created new training and employment pathways for women in technical fields such as geology and engineering, in addition to professional and clerical roles. However, various local and workplace constraints and risks still limit female employment and retention, including workplace gender-based violence, the impact of fly-in-fly-out rosters on parental responsibilities, a lack of attention to gender sensitivities in policies, and ingrained forms of discrimination and harassment.⁴⁸ As such, any ‘gender mainstreaming’ initiatives conducted by resource extraction companies will need to thoroughly analyse the ways that operational environments, policies and management practices limit female participation, in combination with a critical review of deeply entrenched gender ideologies often held by employers, employees and local communities.⁴⁹

4.1.4 THE IMPACTS OF THE EXTRACTIVE INDUSTRIES ON WOMEN AND GIRLS

Natural resource extraction projects have been shown to amplify existing inequalities and social divisions, concentrating social impacts at the household and community level. While men and women experience these impacts differentially, women generally bear the brunt of rapid social and economic changes associated with natural resource projects in PNG. In everyday contexts these impacts manifest in a variety of ways, including: marginalisation from agreement making processes or political representation; unequal access to monetary benefits; unequal access to employment opportunities or business development support; and impacts to family stability.⁵⁰

The rapid social changes associated with resource development frequently spur an increase in gender-based violence. This can arise for several interrelated reasons, including: access to large amounts of disposable cash and new consumption patterns; in-migration and the presence of younger 'mobile males' seeking new opportunities who exist outside local forms of social control; the presence of predominantly male security forces; increased rates of alcohol consumption; emergence of prostitution and exposure to HIV and other sexually transmitted infections; changing notions of masculinity in response to unprecedented social changes; and increased accusations of sorcery that target women, which may result from new uncertainties and tensions that accompany resource extraction projects.

4.1.5 THE GENDER CONTEXT IN THE PAOI

Gender distinctions are pronounced throughout the PAOI communities. While there is variation between the more remote inland Pawaian societies and the larger coastal communities, in general women and girls throughout the PAOI do not enjoy the same social status as men and boys, and are not afforded the same rights and cannot exert the same level of political influence in local affairs as their male counterparts. To some extent these inequalities stem from traditional gender relations, where leadership, ritual knowledge and power was vested in elderly men. At the same time, contemporary gender relations must be understood in light of more recent experiences and influences, including changes to traditional social structures, low levels of governmentality, and the ways in which leadership and power now pivot on the commodification of land and the ability to secure new forms of wealth in the context of natural resource development. Women generally know less about the Project and this only compounds their historical lack of knowledge surrounding other development and resource extraction projects throughout the region.

The baseline studies conducted for the Project paint a grim picture of the conditions faced by many women and girls throughout the PAOI. Very few women are formally employed or involved in business enterprises, and access to basic healthcare, education opportunities and effective remedy for sexual and gender-based violence remains dismally low. Women's groups of some form or another, usually established around church activities, are in existence in many PAOI communities and are more organised in the coastal communities, but most have very limited access to resources. The baseline studies indicate that labour is often shared between men and women of the same household unit for a range of tasks, including processing sago and making gardens and houses, and the authors suggest that some traditional divisions of labour may be eroding.⁵¹

However, women in some PAOI communities maintain that they have a disproportionate workload and receive little support from men and boys with the hard labour of looking after the family.⁵²

Female-headed households, single mothers and widows are among the most vulnerable and disadvantaged people in the PAOI. Although, as the authors of the baseline studies argue, without reasonable medical facilities, education and markets, the entire PAOI might be considered substantially disadvantaged.⁵³ Pawaian women in particular face numerous cultural barriers that may not be experienced by other PAOI women.⁵⁴ Among the Pawaian societies at least two major cultural practices adversely impact upon women's lives. The persistence of strict marriage arrangements, especially the betrothal of young women to older men (often before girls are even born), the practice of polygamy, and prohibitions against care and sanitation surrounding childbirth that require women to give birth in the bush with limited assistance, has done little to increase the status of Pawaian women.⁵⁵ Divorce and separation are not common in the PAOI, and in Pawaian communities, separation may lead to accusations of sorcery, which place women further at risk.⁵⁶ The Marriage Act 1963 stipulates a minimum marriage age of 18, however, this does not apply to customary marriages – recognising the importance of setting a minimum marriage age that prevents child marriage, there are amendments proposed to ensure that this minimum age also applies to customary marriages. The average starting age for customary marriage for girls/women in the PAOI is between 12 and 17, depending on the village. In Pawaian and Ahia villages, women marry especially young.⁵⁷

The human rights implications of these marriage practices are significant. While the Lukautim Pikinini Act 2009 and amendments have some limitations, the Department for Community Development considers child marriage to breach human rights:

Girls married before the age of eighteen. **Child marriage is a violation of human rights.** The harmful consequences include exposure to sexual exploitation and violence, separation from family and friends, lack of freedom to interact with peers and participate in community activities, and decreased opportunity for education. Girls who are married are often assumed to consent to a sexual relationship with their husband, even where legislation or policy says that they are not old enough to give such consent. They are at high risk of physical, sexual and psychological violence from their husbands and younger wives are considered at even greater risk. They are also less able to seek legal or psychosocial support from

their family or the relevant service providers and they are at increased risk of being denied their right to education. Because they cannot abstain from sex or insist on condom use, child brides are often exposed to such serious health risks as premature pregnancy, sexually transmitted infections, and increasingly HIV and AIDS. Evidence shows some girls being married (and in a sexual relationship with their husband) from as young as 12 years of age, and the 2000 Census reported 3,870 married girls between the ages of 10 and 14. Government-led consultations in 2008 found girls in some provinces are being sold for between K100 and K200.⁵⁸

While the baseline studies sketch the basic contours of gender relations across the PAOI, if the Project is going to successfully avoid further entrenching existing gender-based discrimination and inequalities, then a more detailed ethnographic understanding of the ways in which gender differences are understood and articulated across the range of PAOI societies will be required, including the ways in which women are able to organise themselves and mobilise resources for specific purposes or influence decision-making. At present, the baseline studies provide only limited insight into the lives of women or the changing intergenerational dynamics between women and men and the sorts of aspirations women and girls may have. This situation will need to be rectified to increase the knowledge base and better position TEP PNG to effectively respect the rights of PAOI women and girls and contribute to their well-being.

4.2 SUMMARY OF KEY FINDINGS AND RECOMMENDATIONS REGARDING GENDER

- To avoid discrimination, **targeted engagement and consultation practices to ensure women's participation** will need to be implemented. This may be through measures such as: recruiting more female CA officers; engaging with women and men separately; including modules on gender and gender sensitive engagement methods as part of the standard CA training; engaging a gender specialist to work with CA; and ensuring that the above mentioned community capacity building and engagement program is gender sensitive and includes engagement and outreach activities specifically designed to ensure women's participation.
- Women tend to be marginalised in **land and benefit-related decision-making**. To ensure that the Project does not further entrench such marginalisation specific measures will need to be implemented to ensure that women's rights and interests are represented. The Development Forum negotiation presents significant conflict risks for the Project, as well as

potential risks in terms of further entrenching the marginalisation of women in land-related decision-making. Relevant mitigation should therefore be considered. This may entail: including information about clan land use agreements (CLUAs) and the Development Forum in engagement with women; identifying and engaging male champions – through tested models such as the ‘Men’s Matters’ program implemented in Western Province; identifying and working with women community leaders; and engaging the stakeholders who will participate in the Development Forum to identify and workshop diverse benefit sharing options – including models that seek to benefit communities as a whole – for inclusion in the options papers for the Development Forum; where possible seek to ensure that agreements arising out of the Development Forum process contain sufficient number of female signatories to avoid formal exclusion from agreements (which can lead to forms of discrimination when agreements are implemented).

- Sexual and gender-based violence against women and girls is prominent in PNG, including the PAOI, and the presence of the Project may exacerbate such violence; for example, through impacts associated with in-migration, social changes caused by the Project, or the presence of security forces and a (male) contractor workforce. **Measures to avoid and minimise the Project’s contribution to sexual and gender-based violence** should include: engaging an independent third party to implement a community program addressing domestic violence, sexual health and family planning, targeting both women and men – separately as needed – and carried out in accordance with models that have a proven track-record in the PNG context, such as small working groups with men and embedding attention to gender-based violence in broader women’s empowerment programs; working with relevant government and non-government actors to address sorcery; ensuring that any in-migration planning is gender sensitive; and addressing sexual and gender-based violence within Voluntary Principles on Security and Human Rights (VPSHR) management.
- Project-induced in-migration is likely to disproportionately adversely impact on women and girls. Therefore, any **measures implemented to address in-migration should be gender sensitive and take particular account of the rights of women and girls**, including: addressing girls’ participation and their safety at school; strengthening in-kind compensation and avoiding cash compensation where possible; including a community outreach component on cash management; establishing points of hire and clearly communicating these; and targeting young men and women for employment to avoid creating or exacerbating social problems through youth unemployment.

- The influx of cash from the project is likely to exacerbate marriage practices that violate the human rights of young women. To help address these risks TEP PNG should seek to ensure that: CA engagements with PAOI communities stress government policy in the area of education and its goal of ensuring the completion of Basic Education (Prep-Grade 8) by *all students*, male or female; Development Forum outcomes secure funding to properly equip and staff schools; positive steps are taken to increase female employment at the Project; accurate SMLI data is used to ensure that girls aged 15-17 are *not* employed as camp attendants, catering assistants etc. and are redirected to school or training programs.
- Detailed analysis of **environmental impacts** was outside the scope of this HRIA as this is covered in the environmental impact assessment. However, given the interrelatedness of environmental and human rights impacts and the strong participation rights of communities regarding environmental decision-making, to enable communities to meaningfully participate in the finalisation of the ESHIA process and ongoing impact management, it is recommended that TEP PNG: report back to communities about environmental monitoring; include a component on basic environmental education in community engagement and feedback activities going forward; and consider the possibilities for designing and implementing joint community-company environmental monitoring. It will also be important that the finalisation of the ESHIA pays sufficient attention to right to food, water and standard of living implications associated with Project impacts on the environment and ecosystems services.
- Women are under-represented in the formal labour market. To avoid exacerbating or creating further marginalisation of **women in the labour market**, the following recommendations are therefore made: engage government actors on the development of the national content plan to ensure that direct employment and business opportunities extend to women; include contractual clauses with local and external contractors on progressive targets for women's employment and business development, considering opportunities most suited to specific communities and their resource base; and undertake a gender mainstreaming review to identify ways to address workplace barriers for women.

5 SECURITY

5.1 INTRODUCTION TO SECURITY IN THE PNG EXTRACTIVE INDUSTRIES AND PAOI CONTEXT

5.1.1 LAW AND ORDER IN PNG

PNG's law and order challenges were well noted before Independence in 1975, and since then they have only grown, giving rise to a sense of civic insecurity in some parts of the country. Over time, the Government has experimented with a range of police, paramilitary and military forces to enforce security and preserve peace and good order with varying degrees of success. Police services are centralised under the Royal Papua New Guinea Constabulary (RPNGC), and include a reserve police force, and a specialised mobile squad that can be rapidly deployed for short periods of time to quell violent disorder. These heavily armed mobile squad police officers are often called out alongside the country's armed defence forces, and are criticized for their brutal behaviour.⁵⁹

While the PNG population has tripled since 1975, and crime has risen, the number of police has actually decreased, with some 5,387 officers responsible for 7.5 million people in 2013.⁶⁰ Many of these police officers are concentrated in urban areas, while the majority of the population are based in rural areas, and a substantial percentage of the mobile squad are often deployed to resource extraction project areas. This leaves limited policing resources in many parts of the country where people are increasingly resorting to 'violent forms of self-help'.⁶¹ Chronic underfunding of the police forces, coupled with poor working conditions and corruption, are often blamed for poor policing.⁶² Training opportunities are limited, and in 2014 the Minister for Justice conceded that current training was insufficient and should be extended from six to 18 months.⁶³

In PNG the national judicial system includes the Supreme Court of Justice, the National Court of Justice and various other courts, including district courts, land courts, and village courts. The village court structure places the administration of justice largely in the hands of people in the communities in which the disputes arise. Village court magistrates are aided by village peace officers (sometimes referred to as village police).

Many companies operating in PNG develop their own security capabilities, often co-operating closely with state security and justice actors. Private security is now

the fastest growing industry in PNG. In December 2013, 460 licensed security companies employed some 24,600 staff to safeguard homes, government buildings and resource projects with private security officers outnumbering the nation's police by over 5:1.⁶⁴

5.1.2 SECURITY AND THE EXTRACTIVE INDUSTRIES

Project security has become a major law and order concern for the extractive industries in PNG.⁶⁵ In part this reflects broader law and order trends across the country, as well as the unique security risks generated by resource extraction projects, including rapid social change, in-migration to project areas, and social tensions related to the distribution of benefits. All resource extraction operations in PNG employ large private security forces to protect their assets and provide security for employees. While these private guards are usually not armed, most operations maintain a store of weapons on site. These operatives are governed by the Security Protection Industry Act 2004, which specifies that the Security Industries Authority is responsible for licensing firms and granting permits to guards. Legally, firearms permits should only be granted to private security staff in exceptional circumstances; however, some guards have reportedly used excessive force with fatal consequences. Holding guards accountable for these human rights breaches is difficult as the Security Industries Authority is overstretched with little power to regulate the conduct of its members; companies often fail to provide training manuals or standing orders and the probability of securing convictions in the criminal justice system is low.⁶⁶

During moments of heightened security risk, resource extraction companies often seek additional security support from the Government. In some cases this has only exacerbated problems, especially when mobile squad forces carry out their duties with overt force. Resource extraction companies are typically expected to house and feed additional security on site, and contribute to daily allowances. While there may be no practical alternative in some remote locations, this can lead to allegations that companies are 'buying' police support and undermining regional security.

A number of companies operating in PNG have implemented the Voluntary Principles on Security and Human Rights (VPSHR), including ExxonMobil, Barrick Gold, Chevron, Oil Search and Newcrest⁶⁷; however, the Government itself has not. Internationally, scrutiny over the activities of resource extraction companies and their security forces has led many companies to adopt the VPSHR.⁶⁸

5.1.3 SECURITY CONTEXT IN THE PAOI

There is a very limited and under-resourced police presence throughout the entire PAOI. The Provincial police headquarters are located at some distance in Kerema, and the nearest police are based at Ihu and Baimuru. Both locations have one police officer with no functioning vehicle, dinghy or radio communication. The Province is headed by the Provincial Police Commander and has 48 regular police officers and approximately 500 reserve police officers and community based constables. Reserve police provide a link between the police and the community, while community based peace officers are responsible for reporting crimes to the police.⁶⁹ Village courts play a primary role in mediating local disputes. Traditional and church leaders also often play a direct role in conflict resolution and/or determining compensation, as well as the designated land mediators.⁷⁰

TEP PNG has signed a Memorandum of Understanding (MOU) with the RPNGC which outlines the support to be provided by regular and reserve police for the Project, and the terms and conditions of this engagement. Specifically, this includes the requirement for security procedures and measures applied under the MOU to be compliant with the VPSHR. In addition to State forces, TEP PNG also engages three private security providers: G4S and Black Swan in Port Moresby, and Guard Dog at Herd Base. There are approximately 18 back-to-back Guard Dog security roles at Herd Base, all of which are unarmed.

Due to the remoteness of the Project, and the sparse population, for now there are comparatively minimal security threats surrounding the Project. Common law and order problems in the PAOI include stealing, fighting and widespread domestic violence. Although alcohol is not consumed regularly, which reflects the lower levels of disposable income throughout the PAOI, it is possible that as the Project develops consumption rates will increase, along with related social disturbances. Marijuana consumption is common among boys and young men and some girls and young women in the PAOI, and linked to various social issues.⁷¹ Of particular concern are the claims by PAOI community members surrounding the violent behaviour of reserve police and private security guards stationed at the various logging sites. While these accounts were not verified by the HRIA assessment team, they are consistent with reports on logging activities in other parts of the country.

At present there is no security fencing around Herd Base, and to date there have been no significant security incidents on site. TEP PNG expect the security environment to change as the Project ramps up, and plans are in place to increase security resourcing.

5.2 SUMMARY OF KEY FINDINGS AND RECOMMENDATIONS REGARDING SECURITY

- Consistent with Total S.A. Group-level commitments, **TEP PNG has taken measures to align its security arrangements and practices with the VPSHR.** PNG resource extraction projects are usually high-risk security environments and therefore thorough VPSHR implementation going forward is essential to avoid and address any associated adverse human rights impacts.
- In terms of security risk assessment and management, improvements can be made regarding: **due diligence checks** of private security providers, to avoid potential corruption risks; strengthening the due diligence processes regarding **background checks of private security guards**; and **refining the security standard operating procedure (SOP)**, in particular monitoring and follow-up of security incidents and decision-making points for the deployment of mobile squads.
- Future **security risk assessments should include human rights risks associated with directly linked operations**, as well as an **evaluation of the availability and effectiveness of law and order structures in the PAOI**, in particular regarding access to remedy.
- A short **review of the effectiveness of similar community policing models** may be undertaken to inform the planned implementation of a community policing program.
- TEP PNG provides **VPSHR training to private security guards** and reserve police stationed for TEP PNG. Such training could be improved by: **including a component on sexual and gender-based violence; extending the training into a full day session**, including more focus on working with practical scenarios and exercises; and working with private security providers to make VPSHR knowledge a requirement of guards' Key Performance Indicators (KPIs).
- The commitments under the Memorandum of Understanding (MOU) with public security forces and the MOU with the police can serve as a platform for **working with public security forces towards VPSHR training and alignment of mobile squads**. Furthermore, the content of these MOUs should be clearly publicly communicated, including to local communities.
- Opportunities exist to **work with other resource extraction sector actors to promote implementation of the VPSHR** more broadly. For example, through: making VPSHR management and implementation a **standing item on Papua**

LNG JV partner meetings; establishing technical cooperation between the security functions of the JV partners; and engaging other resource extraction actors, including the Chamber of Mines and Petroleum, to establish a **technical working group on VPSHR implementation** at policy and technical levels.

6 CONFLICT

6.1 INTRODUCTION TO CONFLICT-RELATED FACTORS IN THE PNG EXTRACTIVE INDUSTRIES AND PAOI CONTEXT

Globally, resource extraction projects are frequently associated with conflict and PNG is no exception.⁷² Conflicts can occur at different scales, at different points in the project life-cycle, and involve a range of actors including local communities, companies, government and other parties. It may also include conflict within communities as the presence of a project exacerbates or creates tensions between different groups around the project.⁷³ Recent research has demonstrated the cost of community-company conflict in the extractive industries, highlighting the costs associated with lost productivity due to temporary shutdowns or delay; opportunity costs in terms of the lost value linked to future projects or expansions; and the overlooked costs resulting from staff time being diverted to managing conflict.⁷⁴

In the PNG context different forms and scales of conflict have arisen at all major resource extraction projects. In 1989, local tensions over the costs and benefits of the Panguna copper mine in Bougainville forced the closure of the mine and sparked a civil war which cost thousands of lives.⁷⁵ At the Porgera gold mine in Enga Province there have been several violent clashes between local residents and security forces and egregious human rights violations, including horrifying acts of gang rape carried out by members of the mine's private security forces in 2009 and 2010.⁷⁶ More recently, the media and independent researchers have reported an escalation in conflict around a neighbouring project.⁷⁷

In the PNG context, some primary drivers of conflict include:

- Disputes regarding land ownership and associated benefit sharing arrangements, complications associated with incorporation, representation, and participation of landowner groups in agreement making processes.
- Intergenerational tensions, especially as new opportunities emerge for asserting leadership, combined with rapid socio-economic changes and the need for younger educated leaders to engage with resource extraction projects and their legal and bureaucratic structures.
- Clashes between companies and communities turning violent and involving armed security forces and excessive use of force and sexual and gender-

based violence.

- Social impacts related to unmanaged in-migration including, inter-ethnic tensions and clashes, and increased pressure on resources and services.
- Adverse environmental impacts (perceived and real) and associated pressures on natural resources and ecosystem services relied upon by rural communities for subsistence.
- Lack of consultation and engagement of local communities in resource extraction project planning, development, implementation and monitoring.
- Resettlement, including poorly planned and executed resettlement and livelihood restoration activities, resulting in protracted conflict between companies and communities and internal community divisions.⁷⁸
- Community dissatisfaction regarding local employment and business opportunities.
- Poorly understood and managed cumulative impacts, where the drivers listed above compound on each other over time. This may be further intensified when other operations or industries are present in close proximity.

6.2 SUMMARY OF KEY FINDINGS AND RECOMMENDATIONS REGARDING CONFLICT

- Community knowledge and understanding about the Project, likely associated impacts, and the impact assessment process is extremely low. This may lead to conflict in the future, as communities are faced with unanticipated circumstances. It also poses significant obstacles to meaningful engagement and free, prior and informed consent (FPIC). Therefore, the implementation of a **dedicated, comprehensive and gender sensitive community engagement and capacity building program must be a key and immediate priority**. Where practical, this could include a component whereby selected community members are given the opportunity to visit the actual drilling sites or a similarly situated project to properly understand the scale and nature of the operation. The **stakeholder engagement plan should be updated** accordingly, including to integrate more regular and extensive engagement with key civil society actors, including human rights stakeholders.
- The **project-level grievance mechanism in place meets many of the UN Guiding Principles' effectiveness criteria** in theory; however, it has not been

extensively advertised. **Promptly advertising the mechanism and periodically evaluating its effectiveness** is therefore recommended. Opportunities for further incorporating culturally relevant and appropriate methods of dispute resolution can be realised. A number of **systemic community concerns** exist – e.g. expectations for contributions to healthcare and education, land-related disputes, community concerns regarding environmental impacts – that may not be suitably addressed through the project-level grievance mechanism but will warrant attention to avoid these turning into protracted grievances in the future.

- Land-related impacts are a key source of potential conflict. The **pipeline SMLI should be promptly completed** – including considering how independent anthropological support for the Department of Lands’ vetting process could be supported. Recognising that the developer is not responsible for determining who the project landowners are, in order to make informed and responsible decisions on future land-related social risks, TEP PNG should consider how it can systematise the regular collection of key social data related to landowner groups as part of its on-going social monitoring program. In addition to other social indicators, this should include demographic information relating to landowner groups, and a register of any relevant Incorporated Landowner Groups (ILGs) or other types of relevant landowner associations.
- TEP PNG is not responsible for determining the vehicle for the distribution of project benefits, i.e. royalties etc. The distribution mechanism to be used is determined by the Government. ILGs may be one mechanism used, however, the use of ILGs in other project settings has been problematic. Therefore, the Government may opt to use a different distribution mechanism for the TEP PNG project, e.g. business groups, clan associations, individuals or other. Whilst TEP PNG is not responsible for determining the mechanism, taking reasonable steps to contribute to this process running smoothly, and identifying fit for purpose mechanisms for consideration that may be better suited for the Project context, should be of key interest to the Project, as potential conflicts around this constitutes a key conflict risk.
- On the basis of existing baseline studies, **additional analysis regarding potential future land shortages and/or adverse impacts on land** would be worth undertaking to gauge potential impacts on food, water, cultural heritage and other livelihood factors. The development of a Development Forum roadmap that would be shared with the relevant actors could be considered.

- TEP PNG is commended for taking the **initiative to fund independent legal advice for local communities to support them in land-related negotiations and decision-making**. As part of launching this initiative, it is advisable to clearly communicate to local communities that such advice can be used for clarifying and meeting the requirements of new landowner groups and making sense of alignment between the groups and the members listed in CLUAs. It will also be important that such independent legal advice is **available to landowners prior to, as well as during, the Development Forum**.
- Disputes around the process and outcomes of the Development Forum are a key conflict risk. TEP PNG can take steps to mitigate this risk by, for example, **working with the Gas Coordination Office and relevant civil society actors to ensure that independent observers are part of the Development Forum process and to ensure that benefit sharing agreements negotiated have provisions for periodic review**. In the interests of non-discrimination, **ensuring women's participation in the Development Forum must be a priority**. To support this TEP PNG can work with relevant civil society organisations (including church groups and women's groups at the community level) to identify potential women representatives as well as to identify and support clan leaders who are supportive of women's participation. There are also opportunities to support the inclusion of women representatives and women's rights and interests in the Development Forum process through **engaging with initiatives being run by the World Bank and the Australian Department of Foreign Affairs and Trade on women's involvement in agreement making processes** in the extractive industries in PNG.
- The growth of a cash economy associated with the Project poses associated conflict risks. To minimise these as much as possible, it would be advisable to **review the practice of cash payments for land use and damage, and to evaluate options for in-kind compensation and/or opportunities for community support in cash management**.
- Project-induced in-migration has been identified as a key conflict risk factor. To mitigate potential conflicts associated with in-migration it is recommended to **promptly complete the project-induced in-migration baseline study** to inform the development of an associated management and monitoring plan. This plan should **address the specific cultural risks posed to the Pawaian groups and link to the indigenous peoples study**.⁷⁹ To avoid conflict risks specifically related to increased instances of sorcery, TEP PNG might consider working with relevant civil society actors and other

stakeholders, to establish a sorcery desk within the PAOI.

- Local labour and business opportunities may pose conflict risks associated with verification of local labour, ensuring that local community members benefit from employment and training opportunities, and business opportunities for landowner companies. To avoid these conflict risks **future social impact monitoring and reporting should include data on employment and business contracts**, and reporting back on these to communities throughout the PAOI. In addition, prior to the Development Forum, and continuing into operations as required, **stakeholder engagement programs should provide clear information on the range of business opportunities to be expected**, and the likely equipment and skill sets that will be required at different stages of the Project.
- Health and education are the likely priority topics for any future community investment programs; these are logical choices given the PAOI context. To ensure that any community investment programs are effective in contributing to human rights realisation, it will be important to **involve local communities in the prioritisation, design and implementation of community investment programs and contributions** as well as ensuring **alignment between any national content plan provisions on strategic investment and other community investment programs and contributions**. Furthermore, TEP PNG should: ensure that appropriate and robust governance arrangements are established for the management and monitoring of community investment programs; ensure that any community investment program or contribution is implemented by a suitably qualified third party; apply a human rights-based approach in the design, implementation and monitoring of any community investment activities; and prioritise the rights, needs and interests of women, children, persons with disability and other marginalised and vulnerable groups.
- Going forward, it will be important to ensure that the **social impact assessment and future social impact monitoring programs include a focus on cumulative impacts** within the PAOI. Opportunities for engaging other operators in the area and relevant local government actors to develop joint and strategic ways of assessing and addressing cumulative impacts can be realised, such as **engaging the Government to convene and implement a facts-based dialogue and regional planning initiative that includes both the petroleum and forestry industries in Gulf Province**. Such an initiative may include undertaking a facts-based dialogue and strategic environmental and social assessment (building on existing baseline studies) for the Gulf Province region and associated management plan that sets the baseline for agreeing

commitments for multiple operators to meet a common set of standards, and is monitored through an independent third party monitoring mechanism.

Working with relevant government, non-government and business actors to support the development and implementation of social impact assessment guidelines applicable to the extractive industries would be a further initiative to mitigate potential cumulative impacts.

ANNEXES

ANNEX A: ADDITIONAL METHODOLOGY INFORMATION

Standards and frameworks for the assessment

The relevant standards and frameworks for the assessment include:

- International human rights standards and principles (for a listing of ratification of core conventions see Annex B) – including the Universal Declaration of Human Rights (UDHR), the human rights-based approach, and the UN Guiding Principles on Business and Human Rights.⁸⁰
- Good practice guidance on HRIA – including the DIHR Guidance and Toolbox on HRIA⁸¹ and further guidance and tools noted therein.
- Total S.A. HRIA Standard Operating Procedure (SOP).
- International Finance Corporation (IFC) Performance Standards.⁸²

The HRIA team

The HRIA team included the following three members:

- Nora Götzmann, Senior Adviser, Human Rights and Business, DIHR. Nora has a legal/political science background and ten years of experience advising private sector actors on human rights due diligence.
- Assoc. Prof. Nicholas Bainton, Principal Research Fellow, CSRM, Sustainable Minerals Institute, The University of Queensland. Nick is an anthropologist with long-term research and private sector experience in the extractive industries in PNG.
- Sylvia Seta, field assistant, Tanorama (a PNG social consulting firm). Sylvia has a social work background, with previous experience working on social baseline studies in Gulf Province.

Research and engagement overview

The research and engagement for the HRIA included the following activities:

- Desk-top review of relevant baseline studies and scoping papers undertaken for the ESHIA and public domain literature on human rights and the extractive industries in PNG.
- Ten day in-country field trip including five days in Port Moresby to interview key TEP PNG staff and contractors, and civil society stakeholders, and five

days of engagement with communities in the PRL15 and proposed pipeline areas.

- Interviews were conducted with 28 TEP PNG staff and 12 external stakeholders (see Annex B for the complete list of stakeholders interviewed).
- Individual interviews with TEP PNG staff and external stakeholders in Port Moresby took approximately 60 minutes. The interviews were semi-structured, confidential and conducted by the DIHR and CSRM HRIA team members at the TEP PNG offices.
- Community engagement included separate female and male focus group sessions across ten communities from Wabo to Orokolo Bay (see Table 1).
- There are at least seven different language groups represented in the PAOI; the engagement for the HRIA included five of these language groups.

Location		Region	Language Group	Men's Focus Group Approx #	Women's Focus Group Approx #
1	Ura	Riverways	Pawaian	30	10
2	Wabo Station Community	Riverways	Pawaian	40	15
3	Subu 2	Riverways	Pawaian	12	6
4	Poroi 2	Riverways	Pawaian	20	22
5	Evara	Riverways	Ahia	20	18
6	Kaevaria	Riverways	Iare	5	8
7	Kavava	Coast	Orokolo	40	16
8	Larihiru	Coast	Orokolo	35	25
9	Ara'ava	Riverways	Koriki	40	40
10	Kapuna Healthcare Centre	Riverways	Mixed	Approx. 15 staff and students mixed	

Table 1. Community groups engaged for the HRIA

- Community engagement proceeded as follows:
 - Communities were given advance notice by TEP PNG Community Affairs Officers (CA officers) of the HRIA team's arrival and the purpose of the visit.
 - Upon arrival of the HRIA team and TEP PNG CA officers in a village, community participants gathered at the village's public meeting place

and the visit was introduced by a TEP PNG CA officer and a member of the HRIA team.

- III. Community participants split into female and male focus groups. Focus group discussions on the selected human rights topics lasted between 1-2 hours. The women's focus groups were led by the female members of the HRIA team and the men's focus groups by the male HRIA team member.
- IV. Time was spent in focus group discussions to introduce human rights, explain the role of impact assessment, and questions/discussion points for the focus group members were posed as discussion topics, rather than strict 'right-by-right' questions.
- V. During travel within the PAOI the HRIA team was accompanied by CA officers, a medic, and a security officer (either TEP PNG security staff or a member of the reserve police stationed to work for TEP PNG). CA officers assisted with community introductions, but they were not present during the focus group discussions.

Limitations

The HRIA was limited by several practical, methodological and project-related constraints:

- Community and stakeholder engagement was limited. The combination of a short in-country field trip, long travel distances between Herd Base and PAOI communities, the requirement to return to Herd Base before dark, and the practicalities of helicopter and riverway travel, meant that it was only possible to visit a small selection of PAOI communities for short time periods. It was not possible to visit communities from the Maipua and Kaimare language groups. It was also not possible to visit the provincial capital, Kerema, to meet with provincial government authorities.
- Literacy and education levels in the PAOI communities are very low, meaning that the vast majority of focus group participants had a very limited understanding of human rights, and no knowledge of the human rights and business framework or HRIA processes. In fact, most participants were still trying to understand what the Project is, the nature of impacts that might be anticipated, and the role of impact assessment in regulatory approval and ongoing impact management processes – which meant that often a greater amount of time was spent discussing these topics. Overall these constraints meant that it was not possible to conduct more complete discussions in each focus group. In some cases this created community dissatisfaction with the

process; the engagement process opened up discussion on sensitive topics, but the limited time did not allow for follow-up discussion, and the methodology did not provide a clear avenue for further engagement opportunities for communities with independent third parties on these topics.

- Only one of the HRIA team members had previous experience of working in Gulf Province – given the cultural and ethnic diversity in PNG, and the PAOI in particular, greater inclusion of local context knowledge in the HRIA team would have been desirable and should be a priority in any follow-up.
- None of the HRIA team members spoke any of the vernacular languages of the communities within the PAOI – whilst many community members were able to communicate well in the national languages of Tok Pisin and Motu (and some English in the coastal communities), some older community members spoke only their vernacular language, meaning that community members had to translate to facilitate their participation.
- The Project design was not complete. As such, predicted impacts are based on approximations of the pipeline route, use of river transport rather than road construction, and the location of the Central Processing Facility and the LNG Plant. Depending on the final Project design some findings and recommendations may be redundant while other key human rights impacts may emerge – the HRIA should be updated accordingly.
- The Caution Bay area, the proposed LNG Plant site, was excluded from the assessment due to limited time and uncertainties in the Project design at the time of the assessment.
- While the intention is for this HRIA to inform the baseline studies and the ESHIA, in future, especially for monitoring purposes, it may be worth considering taking a more integrated social-human rights approach from the beginning. In addition to avoiding stakeholder consultation fatigue, this approach would help to better identify environmental and social impacts that also have the potential to impact on human rights.⁸³

ANNEX B: STATUS OF RATIFICATION OF CORE INTERNATIONAL HUMAN RIGHTS TREATIES

Treaty	Ratified
CAT - Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment	NO
CAT-OP - Optional Protocol of the Convention against Torture	NO
CCPR - International Covenant on Civil and Political Rights	21 Jul 2008
CCPR-OP2-DP - Second Optional Protocol to the International Covenant on Civil and Political Rights aiming to the abolition of the death penalty	NO
CED - Convention for the Protection of All Persons from Enforced Disappearance	NO
CEDAW - Convention on the Elimination of All Forms of Discrimination against Women	12 Jan 1995
CERD - International Convention on the Elimination of All Forms of Racial Discrimination	27 Jan 1982
CESCR - International Covenant on Economic, Social and Cultural Rights	21 Jul 2008
CMW - International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	NO
CRC - Convention on the Rights of the Child	30 Sep 1990
CRC-OP-AC - Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict	NO
CRC-OP-SC - Optional Protocol to the Convention on the Rights of the Child on the sale of children child prostitution and child pornography	NO
CRPD - Convention on the Rights of Persons with Disabilities	26 Sep 2013

ANNEX C: DEVELOPMENT FORUM AND BENEFIT SHARING ARRANGEMENTS

Overview

The Development Forum is a process required by the Oil and Gas Act 1998, whereby the three tiers of government and the landowners that will be affected by a proposed project negotiate the distribution of project-related benefits.⁸⁴ The outcome of the Development Forum negotiation results in legally binding benefit sharing agreements (also called development agreements). At the time of assessment it was anticipated that the Development Forum for the Papua LNG Project would be held in late 2018-early 2019.

These benefits include: royalties (set at 2% per wellhead); and project equity (divided into future fund 30%, investment fund 30% and remainder 30%). The 30% requirements for the future fund and investment fund contributions are minimum amounts, i.e. subject to agreement between the parties, higher percentages can be attributed to these equity streams, thereby potentially attributing greater benefits to the community collectively rather than individual landowner beneficiaries. The proportional distribution of royalty and equity benefits between landowner groups is to be agreed by them as part of the Development Forum negotiation; however, the Minister may determine that those landowners that have a more substantial right of occupation or are more adversely impacted shall be favoured on a per capita basis.

In addition to royalty and equity benefits, a development agreement is likely to include provisions for:

- I. Preferential employment for local workers, including training.
- II. The developer supporting the establishment and/or assisting to increase the capacity of local landowner companies (Landcos) and giving preferences to these companies.
- III. The developer giving preference to local suppliers of goods and services.

Additional funds can be allocated to infrastructure in the project area under Infrastructure Development Grants, or subsequently, under the Tax Credit Scheme. As such, a development agreement can include a range of potential benefits for landowners and other communities in the broader project area. The provincial government and/or local-level governments typically receive a share of royalties and equity benefits and development levies.

Royalty and remainder equity funds attributed to landowners are usually held and administered in trust by the Mineral Resource Development Corporation (MRDC) on behalf of project area landowners, and are distributed to the beneficiaries through ILGs. Future fund and investment fund equity benefits are held in trust by MRDC; investment fund equity benefits are to be applied by the trustee for the benefit of project area landowners during the term of the trust for purposes such as general health, welfare, education and wellbeing of the project area landowners, or the provision or maintenance of community projects. As noted below, the model for benefit distribution and management may be different for the TEP PNG Project.

Prior to the Development Forum, the developer must submit to the Government a socio-economic impact study as part of the environmental management plan required under the Environmental Planning Act 1978, and a full-scale SMLI. On the basis of these studies, the Minister for Petroleum and Energy shall invite to the Development Forum any persons or organisations which the Minister considers would be affected by the petroleum project if the application is granted. As per section 48 of the Oil and Gas Act 1998, this shall include: the applicant or intending applicant for the licence or licences; the project area landowners (as determined under section 168(2) or their duly appointed representatives; the Local-Level Government or Governments who would be affected by the project; the Provincial Government or Governments who would be affected by the project; and the State. Section 48 of the Oil and Gas Act 1998 also includes an obligation on the Minister to satisfy herself/himself 'that the people who would be project area landowners of the petroleum project are truly represented by the persons who are to be invited to the development forum as their representatives.'

TEP PNG is planning to provide independent legal support to landowners in preparation for the Development Forum. The legislation does not require independent support to landowners to meaningfully participate, independent observation of the negotiations, or subsequent monitoring. However, these elements are considered to be international good practice and their integration into the future negotiation process should therefore be considered.

Lessons Learned

From the experience of other projects, there are several critical aspects in the Development Forum process which provide the basis for future lessons for the Papua LNG Project.⁸⁵ Lessons that can be drawn include:

- Independent observers should be present during the Development Forum.

- The SMLI study should be completed before the Development Forum. If the Development Forum is convened before the completion of the SMLI study there is a risk that the process may be complicated and compromise the representation of landowners and subsequent 'clan vetting' activities.
- Sufficient time needs to be provided to complete the SMLI and vetting process prior to project construction.
- Corruption risks – e.g. whereby government representatives pay money to landowners to sign benefit sharing agreements to ensure an investment proceeds – need to be accounted for and proactively avoided.
- Independent legal support should be provided to landowners to assist them to negotiate in the Development Forum process.
- Third party support should be provided to landowners to assist them to prepare position papers and/or outline feasible project proposals; including to ensure that social infrastructure projects identified in the final benefit sharing agreements are feasible.
- Sufficient provisions need to be made in the process to manage disputes or delays to landowner identification; including to avoid any subsequent delays in the distribution of benefits.
- Women's participation in the process needs to be actively promoted to ensure gender equity in decision-making processes and outcomes.

ANNEX D: STAKEHOLDERS CONSULTED

TEP PNG Staff, Contractors, Consultants

Interviews in person, approximately 1-1.5 hours

Port Moresby

- Corporate Affairs Director
- Security Manager
- ESHIA Studies Manager
- Legal Manager
- Public and Government Relations, Deputy Manager
- Land Manager
- Public Relations/Government Affairs Officer
- Community Affairs Manager
- Environmental/Permitting Coordinator
- Environment Coordinator
- Land Specialist
- Community Relations Manager

- In-Country Value Manager
- Community Affairs Coordinator
- ERIAS, ESHIA Project Director

On-site

- Security Superintendent x2 (back-to-back roles)
- Security Coordinator
- Community Affairs Officer, grievance resolution
- Community Affairs Officer, Wabo
- Community Affairs Officer, Wabo
- Community Affairs Officer, Kavava
- Community Affairs Officer, capacity development
- Sakura (SOR) Medical Officer (contractor)
- Sakura (SOR) Administration Officer (contractor)
- Community Affairs Coordinator
- Reserve Police Officer (contractor)

Communities

Focus group discussions, approx 1-2 hours

See Table 1, p. 40.

External Stakeholders

Interviews approx 1 hour, in person or by phone

- Business Coalition for Women
- Prominent Papua New Guinean from the law and justice sector
- Gas Coordination Office
- Social Mapping and Landowner Identification expert
- PNG Chamber of Mines and Petroleum
- Kumul Petroleum, Government Affairs Manager
- Centre for Environmental Law and Community Rights, Director
- PNG Tribal Foundation
- Office of the High Commissioner for Human Rights
- Office of the High Commissioner for Human Rights
- Lands Department
- Prominent Papua New Guinean woman working, inter alia, on women's rights and non-discrimination

Note: interviews scheduled with the PNG Ombudsman, Transparency International, Department of Petroleum and Energy, State Solicitor's Office, and the Deputy Police Commissioner, did not eventuate due to non-availability of key personnel.

ANNEX E: DOCUMENTS REVIEWED

Internal Documents:

1. Powerpoint overview of TEP PNG
2. Powerpoint overview of TEP PNG
3. TEP PNG Organogram
4. Total S.A. HRIA SOP
5. HRIA Scope of Work
6. Upstream Community and Demographics Baseline Report (Draft, 2016)
7. Upstream Governance and Economics Baseline Report (Draft, 2017)
8. TEP PNG Grievance Mechanism SOP
9. TEP PNG Land Access and Compensation SOP
10. TEP PNG Security Risk Assessment
11. TEP PNG Societal Policy
12. TEP PNG Stakeholder Engagement Plan
13. Grievance Resolution Statistics
14. Natural Resources Baseline Study (2016)
15. Good Corporation Ethics Assessment (Draft, 2017)
16. SMLI for PRL15 (2016)
17. Cultural Heritage Study (2016)
18. LNG Environmental Inception Report (2016)
19. EIA road-show presentation materials
20. MOU with RPNGC
21. MOU with UXO
22. ERIAS Communities Directory
23. Health Baseline (Draft, 2017)
24. Resettlement Plan (Draft, 2017)
25. VPSHRs training slide deck

ENDNOTES

- ¹ Environmental Inception Report (2016), p. 6-1.
- ² Community Demographics Baseline (2016), p. 8.
- ³ Community Demographics Baseline (2016), p. 64.
- ⁴ Community Demographics Baseline (2016), p. 10.
- ⁵ Community Demographics Baseline (2016), p. 28.
- ⁶ It is worth noting that not all PAOI groups traditionally recognised clans per se, or had an equivalent word for clan in their vernacular. However, most groups now represent their social structure in terms of clan groups. This is a common phenomenon across PNG, and is partly a local response to the use of the term 'clan' in the Oil and Gas Act 1998. See also Filer, C. (2007). Local Custom and the Art of Land Group Boundary Maintenance in Papua New Guinea. In Weiner, J. and Glaskin K. (Eds). *Customary Land Tenure and Registration in Australia and Papua New Guinea: Anthropological Perspectives*. Canberra: ANU E Press. pp. 135-173.
<http://press.anu.edu.au/publications/series/asia-pacific-environment-monographs/customary-land-tenure-registration-australia>.
- ⁷ This process has been observed at many resource extraction projects across PNG.
- ⁸ Bell, J. A. (2005). *Intersecting Histories: Materiality and Social Transformation in the Purari Delta of Papua New Guinea*, Oxford. PhD, p. 138.
- ⁹ Governance and Economics Baseline (2017), p. 8.
- ¹⁰ See e.g., Weiner, J. F. and Glaskin K. (Eds.). (2007). *Customary Land Tenure and Registration in Australia and Papua New Guinea: Anthropological Perspectives*. Canberra: ANU E Press.
- ¹¹ See Filer, C. (2012). *The development forum in Papua New Guinea: Evaluating outcomes for local communities*. In Langton, M. and Longbottom, J. (Eds). *Community Futures, Legal Architecture: Foundations for Indigenous Peoples in the Global Mining Boom*. Oxford: Routledge. pp. 147-161.
https://www.researchgate.net/publication/258567335_The_Development_Forum_in_Papua_New_Guinea_Evaluating_Outcomes_for_Local_Communities.
- ¹² For more information on customary land registration, see Weiner, J. F. and Glaskin K. (Eds.). (2007). *Customary Land Tenure and Registration in Australia and Papua New Guinea: Anthropological Perspectives*. Canberra: ANU E Press.
- ¹³ Governance and Economics Baseline (2017), p. 10.
- ¹⁴ Governance and Economics Baseline (2017) and Community Demographics Baseline (2016).
- ¹⁵ Governance and Economics Baseline (2017), p. 9.
- ¹⁶ Governance and Economics Baseline (2017), p. 9.
- ¹⁷ Governance and Economics Baseline (2017), p. 12.
- ¹⁸ Governance and Economics Baseline (2017), p. 13.
- ¹⁹ Governance and Economics Baseline (2017), p. 13.
- ²⁰ Governance and Economics Baseline (2017), p. 10.
- ²¹ Governance and Economics Baseline (2017), p. 12.
- ²² See e.g., European Investment Bank, Social Safeguards, Standard 7. Rights and Interests of Vulnerable Groups.

- ²³ This was noted in both the Governance and Economics Baseline (2017) and the Community Demographics Baseline (2016), and re-iterated in the HRIA findings.
- ²⁴ UN Human Rights Council (2011c).
- ²⁵ Constitution 1975, article 2(1).
- ²⁶ See Macintyre, M. (2012). *Gender Violence in Melanesia and the Problem of Millennium Development Goal No.3*. In Jolly, M., Stewart, C. and Brewer, C. (Eds). *Engendering Violence in Papua New Guinea*. Canberra: ANU E Press. pp. 239-266.
- ²⁷ United Nations, Committee on the Elimination of Discrimination against Women (1992). *Recommendation 19*.
http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/1_Global/INT_CEDAW_GEC_3731_E.pdf.
- ²⁸ Office of the High Commissioner for Human Rights. (2014). *Sexual and gender-based violence in the context of transitional justice*.
http://www.ohchr.org/Documents/Issues/Women/WRGS/OnePagers/Sexual_and_gender-based_violence.pdf.
- ²⁹ See Dinnen, S. and Ley, A. (Eds). (2000). *Reflections on Violence in Melanesia*. Hawkins Press.
- ³⁰ See Toft, S. (1985). *Domestic Violence in Papua New Guinea*. Port Moresby: Papua New Guinea Law Reform Commission; Toft, S. (1986). *Domestic Violence in Urban Papua New Guinea. Occasional Paper No. 19*. Port Moresby: Papua New Guinea Law Reform Commission; Toft, S. and S. Bonnell, Eds. (1985). *Marriage and Domestic Violence in Rural Papua New Guinea: Results of a Research Project Conducted by the Law Reform Commission and Administrative College of Papua New Guinea*. Port Moresby: Papua New Guinea Law Reform Commission.
- ³¹ See Macintyre, M. (2012). *Gender Violence in Melanesia and the Problem of Millennium Development Goal No.3*. In Jolly, M., Stewart, C. and Brewer, C. (Eds). *Engendering Violence in Papua New Guinea*. Canberra: ANU E Press. pp. 239-266, p. 248.
- ³² Doctors Without Borders. (2016). *Return to Abuser – Gaps in Services and a failure to protect survivors of family and sexual violence in Papua New Guinea*.
<http://www.doctorswithoutborders.org/article/special-report-return-abuser>.
- ³³ Human Rights Watch. (2015). *Bashed Up Family Violence in Papua New Guinea*.
<https://www.hrw.org/report/2015/11/04/bashed/family-violence-papua-new-guinea>.
- ³⁴ Eves, R. (2010). *Masculinity Matters: Men, Gender Based Violence and the AIDS Epidemic in Papua New Guinea. Civic Insecurity: Law, Order and HIV in Papua New Guinea*. V. Luker and S. Dinnen. Canberra: ANU E Press. <http://press.anu.edu.au/publications/series/state-society-and-governance-melanesia/civic-insecurity/download>.
- ³⁵ UNICEF (2005). *Children and HIV/AIDS in Papua New Guinea*.
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- ³⁶ Luker, V. and Dinnen S. (2010). *Civic Insecurity: Law, Order and HIV in Papua New Guinea*. Canberra: ANU E Press. <http://press.anu.edu.au/publications/series/state-society-and-governance-melanesia/civic-insecurity>.
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- ³⁸ Human Rights Watch. (2015). *Bashed Up Family Violence in Papua New Guinea*. <https://www.hrw.org/report/2015/11/04/bashed/family-violence-papua-new-guinea>.
- ³⁹ United Nations, Committee on the Elimination of Discrimination against Women, Forty-sixth session, Concluding observations of the Committee on the Elimination of Discrimination against Women: Papua New Guinea CEDAW/C/PNG/CO/3 (30 July 2010). http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/PNG/CO/3&Lang=En; United Nations, Human Rights Council, Twenty-third session, Report of the Special Rapporteur on violence against women, its causes and consequences, Rashida Manjoo. Addendum: Mission to Papua New Guinea A/HRC/23/49/Add.2 (18 March 2013). http://www.ohchr.org/Documents/Issues/Women/A-HRC-23-49-Add-2_en.pdf.
- ⁴⁰ Development Studies Network. (no date). *Women, Gender and Development in the Pacific: Key Issues Conflict and Peacemaking: Gender Perspectives*. https://crawford.anu.edu.au/rmap/devnet/devnet/gen/gen_peace.pdf.
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- ⁴³ Gibbs, P. (2016). *Men's Matters: Changing Masculine Identities in Papua New Guinea*. In Biersack, A., Jolly, M. and Macintyre, M. (Eds). *Gender Violence and Human Rights: Seeking Justice in Fiji, Papua New Guinea and Vanuatu*. Canberra: ANU E Press. <http://press.anu.edu.au/publications/gender-violence-human-rights>.
- ⁴⁴ See e.g., Filer, C., Imbun, B., Andrew, M. and Sagir, B. (2016). *Papua New Guinea: Jobs, Poverty, and Resources*. In Betcherman, G. and Rama, M. (Eds). *Jobs for Development: Challenges and Solutions in Different Country Settings*. Oxford: Oxford University Press. pp. 102-138. https://www.researchgate.net/publication/311770641_Papua_New_Guinea_Jobs_Poverty_and_Resources.
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- ⁴⁶ Governance and Economics Baseline (2017), p. 14.
- ⁴⁷ Governance and Economics Baseline (2017), p. 64.
- ⁴⁸ See e.g., Lahiri-Dutt, K. (Ed). (2011). *Gendering the Field: Towards Sustainable Livelihoods for Mining Communities*. Canberra: ANU E Press. <http://press.anu.edu.au/publications/series/asia->

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- ⁴⁹ Macintyre, M. (2011). Modernity, Gender and Mining: Experiences from Papua New Guinea. In (ed) K. Lahiri-Dutt, *Gendering the Field: Towards Sustainable Livelihoods for Mining Communities*. Canberra: ANU E Press. pp. 21-32. <http://press.anu.edu.au/publications/series/asia-pacific-environment-monographs/gendering-field>, p. 27.
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- ⁵³ Governance and Economics Baseline (2017), p. 123.
- ⁵⁴ Sullivan, N. (2012). *A Social Assessment of the Proposed Purari River Dam Area: A Consolidated Report*. Madang: Nancy Sullivan Associates. https://www.academia.edu/4492641/A_social_assessment_of_the_proposed_Purari_River_Dam_area_A_consolidated_report.
- ⁵⁵ Toft, S. (1985). *Domestic Violence in Papua New Guinea*. Port Moresby: Papua New Guinea Law Reform Commission.
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