

***The Kiunga Summit:
Mine Affected Communities of Western Province
November 7th-9th Kiunga, Western Province***

The people of Western Province have always chosen to address our concerns over the Ok Tedi mine through peaceful means. Our brothers and sisters in Bougainville took matters into their own hands, but instead we have chosen not to resort to violence but to attempt through negotiation and through the courts to address the injustices we have suffered. At this time, however we continue to suffer great injustices and the problems caused by mine are increasing in magnitude and gravity. We have come together to find a way forward in our struggle.

“Together We Stand, Divided We Fall”

The people of Western Province have come together at this summit, from the mountains and the source of the Fly River all the way to its mouth. We live at the minesite, along the highway, on the Ok Tedi River, in the Middle Fly and in the South Fly. We are Faiwol, Ningerum, Yonggom, Awin, Boazi, Zimakani, Kuni, Suki, Gogodala, Bamu, Kiwai, Biامي, Pari, Bituri, Taeme, Ende, Wippi, Tonda, Nombo, Keraki, Wartha, Bine, Agob, Gizra. We are all affected people. We are all people of Western Province. And we have all joined together in the summit.

Our common experience is one of suffering from the impacts of the mine pollution, and we have shared our problems with one another at this summit, and listened to each others' concerns and ideas.

We have also spoken of the differences that separated us in the past. We have resolved to overcome these differences. We have come together in the understanding that we, as affected peoples of Western Province, can and must work together to solve the problems that we face, and we must ensure that external forces do not divide our communities. We call upon all of the people of Western Province to stand together. We realize that coming together today is only the first step in a long process, but a very important one for our future.

We discussed many issues during the summit and have come to resolutions on the following:

1. BHP's exit and the PNG Sustainable Development Program Company:

The terms and conditions of BHP's exit from the Ok Tedi mine were not discussed with us before the company left. We feel that BHP is still responsible for the environmental problems in our land and must take on its share of these problems. It is a great injustice that this company has been allowed to escape without fixing the problems that it created, and without cleaning the river that is the life of our people.

It is a further injustice that the people of Western Province are not the main beneficiaries of the arrangements for BHP's exit when we have sacrificed so much already, and continue to sacrifice so much, to the benefit of the PNG nation.

We do not agree with the arrangements that have been made for the transfer of BHP's 52% share to the PNG Sustainable Development Program Company. This company is born from our suffering.

The environmental problems facing us are increasing, and are making it difficult, if not impossible for many people of the province to meet basic needs for food and water, or to pay for our children's school fees or health needs. Once our environment provided us with all our needs, but this is no longer possible.

With this in mind, there is an urgent need to address the structure, location and allocation of funds held by the PNG Sustainable Development Program Company with the main goal of ensuring that the people of Western Province have a primary role in the decision making process, and are the sole beneficiaries of BHP's 52% share in the mine.

The money from the BHP 52% share must be allocated to priorities that have been identified by the people of Western Province. These funds will help us to meet the very big challenges facing us. These problems will face us and our children and grandchildren. We have the right to determine our own future.

RESOLUTION: That BHP's 52% share (now contained in the PNG Sustainable Development Program Company) be brought back to Western Province to benefit our people, and that the people of Western Province have representation in the decision making processes, including on the board of directors of the PNG Sustainable Development Program Company.

That the Program company's offices be relocated to the Western Province and that the name be changed to the Western Province Sustainable Development Program Co.

2. Our environmental concerns:

People should not be forced to choose between a livable environment and a healthy economy. We have a right to both. The mine is an important part of the economy of Western Province, but the impact that it has on our livelihoods continues to increase. Because of these impacts, it is difficult to see how we will survive without the economic benefits of the mine. Despite this problem, we are concerned about the future impacts of the mine on our environment and early mine closure is something that has been discussed during the summit and remains on our minds. We see the environmental impacts and the impacts on our livelihoods, cultures and health growing. If our environment is gone, we cannot eat money.

The risks of acid rock drainage and other major threats to our environment and to the health of our people worry us. We have heard that the risk of ARD will increase as the mine continues production. We have heard that some of the impacts of the mine will last for up to two hundred and fifty years.

In order to make a wise decision about our future, we need more information about the impact of the mine today and in the future. The only information about the environmental impacts that is available to us has been produced by the mine. Past experience has led us to question what the mine tells us. Much of the information that the mine produces is not written with the needs and concerns of the people of this place who rely on fishing, gardens, sago, and hunting in mind. We are also worried about possible health impacts from the mine that have not been properly studied or explained to us. What will be the health impacts of ARD problems along the river?

In the past, studies by the Ok Tedi mine have been affected by its business interests and the two court cases. We also have not seen any efforts by OTML to address the environmental problems downstream where they are occurring, except for the dredge.

We are in desperate need of expert advice that is not tied to the company. We cannot trust information produced by the company that is damaging our environment. Without this information, we are not able to plan for our own future and for the future of our children. We find it difficult to balance the risks of continued mine operation (especially ARD and the risks to the food chain) against the economic benefits produced by the mine.

RESOLUTION: We call for an independent review of the mine's environmental impacts, with a special focus on the impacts and risks posed now and into the future for our subsistence resources and the health of our people. We also want to consider ways to address the environmental problems that are now occurring downstream from the mine. We want to select and engage an independent review group to look at the options and risks for mine continuation or closure, and to report back to a future summit of the affected people of Western Province.

3. Sharing of Benefits:

The true value of our environment cannot be measured in terms of money. The compensation that we have received has never been equal to the damaged caused, and many of us living along the river can no longer sustain ourselves.

Other people in Western Province have not received any benefit from the mine. It is not in our culture to ignore our brothers and sisters who are suffering. We must share the benefits of the mine with them.

Whether or not we have signed the CMCAs, we are all directly or indirectly affected by the mine. All of the people of Western Province are entitled to benefits from the mine according to the impacts that they have suffered.

RESOLUTION: All existing laws and benefits agreements, including the 8th Supplemental Agreement and the 9th Supplemental agreement should be audited and reviewed so that they address unfairness in the distribution of benefits and include people and areas that were previously excluded from benefits and compensation, according to the impacts they have and will suffer.

We believe it is just that the entire funds from the PNG Sustainable Development Program Company to be for the people of the Western Province only. We propose that two-thirds of these funds should be for the people directly affected by the mine and the remaining one-third for the other people of the Province.

4. Community Mine Continuation Agreements and the 9th Supplemental Agreement

The Community Mine Continuation Agreements (CMCAs) and the 9th Supplemental Agreement have divided our people.

Many of the people in Western Province have not given their consent to the terms and conditions of the CMCAs or the 9th Supplemental Agreement. How could we when most of us have never even seen them and still do not know what they say?

Those who signed these agreements from our communities were not given the full information about what was in these agreements. Many never even saw the documents before they signed them, and still have not received a copy or had proper explanations of the information contained in the 9th Supplemental Agreement or CMCA.

These agreements include sections that are illegal, against human rights, and that violate our PNG Constitution and our god-given rights. It is time to acknowledge the problems with these agreements. All landowners have the right to decide what happens to their land, and these rights cannot be taken away by the decision of any person who happened to sign these documents. These agreements violate rights that are protected under our Constitution. The principal landowners have not given their free prior informed consent to these agreements.

In the upcoming review of the CMCA's, OTML has stated that the documents themselves will not be subject to negotiation. The terms of this review of the CMCA's must be expanded to address the ongoing violation of our rights. The review should ensure that people are not excluded from receiving the benefits they are entitled to as affected people.

RESOLUTION: The CMCA review process must be expanded to include a process to ensure that those who are entitled to benefits receive these benefits. It must eliminate and address the violation of our rights as landowners. All of the clauses and sections of the CMCA's and the 9th Supplemental Agreement (especially clauses 4, 5, 8, 9, and 13) that violate the rights of the people of Western Province be repealed and renegotiated with the informed consent of all landowners in a manner that respects our indigenous rights.

5. Referendum

We are facing many serious problems because of the mine. We have been divided in the past by the mine and the government. But today, we stand together as affected peoples of Western Province.

We have many important decisions to make about our future. We have called for a comprehensive review of the 9th Supplemental Agreement and the CMCA's and the removal of certain clauses that violate our rights. We want to bring back the funds from the Sustainable Development Trust to the people of Western Province, to be shared among all of us. We need the advice from an independent environmental review to help us make important decisions concerning our future. We want to ensure that we are not divided by external forces, and that people are not excluded from decisions that affect them. These are all matters that will affect our decision on the mine's continuation.

RESOLUTION: After receiving the response from the government and the company to our resolutions, we will call upon the National Government to conduct a referendum in Western Province to determine the conditions on which the mine should continue to operate, or if it should be closed early. This referendum will be conducted according to the rules of the Electoral Commission headed by the Returning Officers.

6. Western Province Alliance for a Sustainable Future

Many different groups and hundred of people participated in the summit, including NGO's, Women's Groups, Community and Area Associations and interests groups. Some of them were ENECO, Faiwol-Min, Landowners Association, KAKOBOLE, ZAMBY, West Ningerum Pressure Group, and South Fly Elite Group. Other groups participating in the summit do not have organizations that represent their interests.

We have formed an alliance to work together to address the issues facing us, particularly mining and other resources extraction. There is a need to increase the cooperation and communication between groups across the Western Province.

RESOLUTION: The organizations and individuals participating at the summit have agreed to form an alliance that will enable us to stand together to address our common concerns. The existing organizations of Western Province are also committed to assist in the formation of other organizations to represent groups of people who do not have their own representation, but wish to participate in the alliance.

7. Future Summit

We recognize that this meeting is only the first step of a larger process. We realize that we cannot achieve these goals on our own. We request support from the government and the participation of the Ok Tedi mine and the PNG Sustainable Development Program Company in a future summit. This is the best way forward to solve the problems that face the people of the Western Province. We welcome people across the Western Province to come to stand together with us.

RESOLUTION: We have resolved to have the next summit by February, 2006. We ask our leaders, including MPs in the National Government as well as Provincial Government, and local level government leaders to join us at this summit. We also ask the Ok Tedi mine and the director of the PNG Sustainable Development Program Company to attend this meeting.

These resolutions were based on proposals submitted to the meeting by the various participants from all the areas and groups present. They were developed and passed by a core group of representative nominated from each geographical area and presented back to the whole meeting where they were unanimously accepted and approved by the participants. There remain issues discussed at the meeting which we did not reach resolution on which will be discussed further at a later date. This final document has been approved by representatives of the core group appointed during the meeting.