



INTERNATIONAL
LAND CONSERVATION
NETWORK

The International Land Conservation Network is a project of the Lincoln Institute of Land Policy



LINCOLN INSTITUTE
OF LAND POLICY



International Outlook for Privately Protected Areas

Country Profile: PAPUA NEW GUINEA

Suggested citation: **Gloss, L., Myron, E., and Ahmed, H. *International Outlook for Privately Protected Areas: Papua New Guinea Country Profile*. International Land Conservation Network (a project of the Lincoln Institute of Land Policy) - United Nations Development Programme, 2019.**

Introduction:

This country profile is part of a study by the International Land Conservation Network (ILCN) and United Nations Development Program (UNDP) summarizing the **legal, policy, and institutional mechanisms used to establish and incentivize privately protected areas (PPAs) in 30 understudied countries.**

PPAs contribute to the achievement of global conservation goals and biodiversity targets by contributing to landscape-scale conservation, connectivity and ecological-representativeness of protected areas.

For the purposes of this profile, an area is considered a PPA if it conforms to the definition agreed upon by the International Union for the Conservation of Nature (IUCN). Generally speaking, a PPA's protection must be recognized and durable (with long term conservation intent); it must be governed by a private or non-governmental entity; and it must be governed and managed to meet the general conservation standards of a protected area (PA) as laid out by the IUCN.^{1,2} **Note: Alongside currently existing mechanisms in these countries, this study also references mechanisms that represent *potential opportunities for the creation of PPAs.***

The data in this profile is based on a 2018 desk review of law and policy documents, government reports, publications by multi-lateral organizations, scholarly literature, and other sources. For 28 of the 30 country profiles, data was reviewed by a volunteer in-country expert. We are grateful to these experts, whose names and the profiles they reviewed are listed in the appendix to the [International Outlook for Privately Protected Areas summary report](#).

Finally, this profile is intended to be a living document, which will be updated periodically as more information is submitted and time and resources allow. If you have a contribution, please contact the authors at landconservation@lincolninst.edu.

Copyright © 2019 Lincoln Institute of Land Policy
All rights reserved.

NOTE: The views expressed in this publication are those of author(s) and do not necessarily represent those of the United Nations, including UNDP or the UN Member States, the Lincoln Institute of Land Policy, or the ILCN (a project of the Lincoln Institute of Land Policy). The material contained herein has been obtained from sources believed to be reliable but is not necessarily complete and cannot be guaranteed.

Information from this publication may be freely reproduced but not for sale or for use in conjunction with commercial purposes. Any use of information on the website should be accompanied by an acknowledgement of UNDP and the ILCN (a project of the Lincoln Institute of Land Policy) as the source, citing the URL of the publication. At all times, UNDP and the ILCN (a project of the Lincoln Institute of Land Policy) must be acknowledged as the source when content is extracted from this publication.

¹ Mitchell, B.A., Stolton, S., Bezaury-Creel, J., Bingham, H.C., Cumming, T.L., Dudley, N., Fitzsimons, J.A., Malleret-King, D., Redford, K.H. and Solano, P. (2018). *Guidelines for privately protected areas*. Best Practice Protected Area Guidelines Series No. 29. Gland, Switzerland: IUCN. xii + 100pp.

² Dudley, N. (ed.) (2008). *Guidelines for Applying Protected Area Management Categories*. Gland, Switzerland: IUCN. x + 86pp. WITH Stolton, S., Shadie, P. and Dudley, N. (2013). *IUCN WCPA Best Practice Guidance on Recognising Protected Areas and Assigning Management Categories and Governance Types*, Best Practice Protected Area Guidelines Series No. 21. Gland, Switzerland: IUCN

PAPUA NEW GUINEA

Outlook for Privately Protected Areas

The ILCN and UNDP would like to thank the following volunteers for reviewing this document for accuracy to the best of their ability.

1. Dr. Valentina Dinica, Associate Professor in Sustainability and Public Policy, Convener of the New Zealand Environment Policy and Politics Network of the Political Science Association, School of Government, Victoria Business School (Faculty), Wellington.
2. Mark Nizette, MBE, Kokoda Initiative Strategic Advisor, Conservation and Environment Protection Authority, Papua New Guinea
3. Nate Peterson, GIS and Conservation Information Manager Pacific Division, The Nature Conservancy Asia Pacific Resource Center

I. Country Overview

Land area

The total area of land and inland waters in Papua New Guinea is 46,284,000 hectares (ha). Of this, about 1,190,000 ha (2.6 per cent) are in commercial agricultural use, and 33,561,800 (72.5 per cent) are forested.³

The nation occupies the eastern half of the island of New Guinea, the western half of which forms the Indonesian provinces of Papua and West Papua. Papua New Guinea (PNG) also includes several smaller islands, such as New Britain and New Ireland. The coasts of the main and smaller islands are sporadically lined with mangrove forests. Interior habitats range from highland valleys to grasslands, rainforest, swamps, and mangroves. The dense tropical forests that make up much of the land cover (~75 per cent) throughout the country support immense biodiversity, and an array of endemic species. It is considered one of the world's mega-diverse countries, hosting 6-8 per cent of the global species.⁴

Primary threats to this biodiversity include deforestation, degradation, and conversion for agriculture. The average rate of deforestation and degradation between 1972-2002 was 1.4 per cent, with lowland forests experiencing almost double that.⁵

Land tenure and ownership

In PNG, 97 per cent of land is owned by customary landowners, with about 90 per cent of PNG's people living on said customary land.⁶

³ Food and Agriculture Organization of the United Nations. 2014. "Papua New Guinea Country Profile." Accessed September 2008.

<http://www.fao.org/countryprofiles/index/en/?iso3=png>.

⁴ Independent State of Papua New Guinea. 2017. Papua New Guinea's Fifth National Report to the Convention on Biological Diversity. P. 7.

<https://www.cbd.int/doc/world/pg/pg-nr-05-en.pdf>.

⁵ Ibid. p. 15.

⁶ Ibid. P. 105 and 23.

The right to property for both individuals and clan entities is guaranteed by Section 53 of the *Constitution of the Free State of Papua New Guinea* (1975).⁷ Per the Constitution, law in PNG ultimately derives from both the legislation of the PNG government and from a body of *underlying law*. Underlying law includes both the customary laws of the island prior to European rule, as well the decisions of British common law up to the date of PNG's Independence.

Among the land-related legislation in PNG, the most important law is the *Land Act* (1996), which outlines practices for the governance of alienated land held by the state.⁸ About 3 per cent of PNG's land is considered "alienated" and outside of the customary system. Alienated land is owned mostly by the PNG national government, with portions held by private landowners (as freehold land) or leased to individuals or companies by the State.⁹

Section 49 of the *Land Act* also enables the government to set aside land as *reserve*, which may then be used to establish various protected areas (see below).¹⁰

Protected Areas

As of 2017, 1,897,595 ha (about 3.8 per cent) of PNG's land territory was under formally recognized conservation (note: as an island nation, marine protected areas are very important; however, they are outside of the scope of this study).¹¹ The Nature Conservancy, under a contract with the Conservation and Environment Protection Authority (CEPA - previously the Department of Environment and Conservation), is updating protected areas data for PNG. Through their GIS analysis, the most recent figures are that 2,143,699 ha are designated and gazette as protected areas, with an additional 1,015,750 ha proposed for protection.¹² (Note: The World Database on Protected Areas (WDPA) shows 1,433,034 ha of land – 3.1 per cent of the Country – protected.¹³ The Nature Conservancy will be working with the WDPA to provide an update).

The protected area network in PNG has recently undergone a series of transformations and may continue to evolve in the near future, as there is new Protected Areas legislation (more information below) that will be considered in 2018 to define and consolidate protected area categories.¹⁴

The *National Parks Act* (1982), which was repealed in 2014, had been the core legislation for protected area policy in the Country.¹⁵ Under the *National Parks Act*, alienated land could be set aside as *reserve land* by the state for such purposes as the protection of biodiversity as a *national park*, *botanical garden*, *recreation area*, or *sanctuary*.¹⁶ Other foundational legislation includes the *Conservation Area Act* (1978),

⁷ Independent State of Papua New Guinea. 1975. *Constitution of the Independent State of Papua New Guinea*.

http://www.wipo.int/wipolex/en/text.jsp?file_id=199188.

⁸ Independent State of Papua New Guinea. 1996. *Land Act 1996*. <http://actnowpng.org/sites/default/files/LAND%20ACT%201996.pdf>.

⁹ Klopff, Sonja. 2004. "Private Lands Conservation in Papua New Guinea." Natural Resources Law Center, University of Colorado School of Law. https://scholar.law.colorado.edu/cgi/viewcontent.cgi?article=1168&context=books_reports_studies.

¹⁰ Independent State of Papua New Guinea, 1996.

¹¹ Papua New Guinea, 2017. p. 38.

¹² Personal communication, Nate Peterson, July 24, 2018.

¹³ UNEP-WCMC. 2018. "Protected Area Profile for Papua New Guinea from the World Database of Protected Areas." Accessed September 2018. <https://www.protectedplanet.net/country/PNG>.

¹⁴ Personal communication, Mark Nizette, August 3, 2018.

¹⁵ Independent State of Papua New Guinea. 2014. *Papua New Guinea Policy on Protected Areas*. Conservation & Environment Protection Authority, October 2014, Waigani, National Capital District, Papua New Guinea. Accessed online at http://www.pg.undp.org/content/dam/papua_new_guinea/docs/environment%20and%20energy/DEC%20signed%20PNG%20Protected%20Areas%20Policy-lowrespgs.pdf.

¹⁶ Independent State of Papua New Guinea. 1982. *National Parks Act 1982*. Section 4.1.

http://www.pacii.org/pg/legis/consol_act/npa1982159/.

which created community *conservation areas*, and the *Fauna (Protection and Control) Act* (1966), which allows for community *wildlife management areas*.¹⁷

In 2014, PNG introduced a new *Policy on Protected Areas*, and repealed the *National Parks Act* through the *Conservation and Environment Protection Authority Act* (2014).¹⁸ Many of the changes laid out in the 2014 policy were formalized in the *Papua New Guinea Planning and Monitoring Responsibility Act* (2016).¹⁹

This 2014 policy on protected areas recognizes two major categories of protected area—national and regional PAs—within which fall other, more specific designations.²⁰ The first category is “National Protected Areas,” which includes *National Parks, Marine Sanctuaries, National Heritage Areas, and Special Management Areas*. All of these are to be gazetted under national legislation and managed in accordance with national legislation by customary landowners and communities with support from CEPA or other stakeholders.

The other category is “Regional Protected Areas,” which includes *Community Conservation Areas* (CCAs; where Wildlife Management Areas and Conservation Areas will be consolidated) and *Locally Managed Marine Areas*, both of which are gazetted and managed per the requirements of provincial legislation by local communities.²¹ Community Conservation Areas are expected to be the most common type of protected area in PNG.

A range of governance types can be applied to any of the PA categories. The 2014 policy also notes that “In addition, industry and civil society will be key players in governance of some of the areas.”²²

II. Law and Policy for Private Land Conservation

Privately Protected Areas

A privately protected area (PPA) is not formally-defined in Papua New Guinea’s current legislation, nor does the Country supply a clear policy framework for the creation of PPAs. Given the overwhelming majority of land under customary landownership, conservation programs are primarily aimed at customary land (however, as most of these tools likely fall under the Indigenous and Community Conserved Areas (ICCA) bucket within the IUCN, rather than as PPAs, while important, they are not elaborated on in this study).

The 2014 Policy on Protected Areas does, however, outline several clear roles for civic and private sector involvement in the protected area system.²³ Section 1.3.9 requires that a working group be established with the creation of any new protected area, and that the working group should include NGOs, private enterprises, customary landowners, and others with a stake in the area’s conservation.

There is new PNG Protected Areas legislation expected to go before the Parliament in late 2018, which will allow for private persons to protect land they own through PPAs.²⁴ The bill aims to encourage PPAs

¹⁷ Independent State of Papua New Guinea, 2014.

¹⁸ Independent State of Papua New Guinea, 2014.

¹⁹ Government of Papua New Guinea. 2016. Papua New Guinea Planning and Monitoring Responsibility Act 2016. <http://www.planning.gov.pg/images/dnpm/pdf/PlanningAct2016.pdf>.

²⁰ Independent State of Papua New Guinea, 2014

²¹ Ibid.

²² Ibid.

²³ Ibid.

²⁴ Personal communication, Mark Nizette, August 3, 2018.

to be part of the National Protected Areas Network through (amongst other things) providing access for support through a Protected Areas Trust Fund, and to ensure they are recorded on the national register. Once registered they can be counted toward CBD targets and will become part of the protected area network as a contributor to the national protected areas strategy.

Under the current land ownership system, landowners wishing to have a PPA formally recognized through the proposed Protected Areas Bill, will first have to register the land as an Incorporated Lands Group (ILG), after which a freehold title will be issued by the Government to the landowners.²⁵ Following this, a lease for conservation and protection can be carved out and registered as a PPA. This lease (not exceeding 99 years) could be in the name of the ILG, any or all ILG landowners, or a third party, thus encouraging those with a conservation interest, who is not a landowner, to develop a PPA.

Conservation Easements and Leases

Conservation easements may be established on alienated land in PNG, though the Country has no specific enabling legislation for conservation easements, as distinct from other easements.²⁶ An easement restricting development rights on a property can only be put in place with a dominant and servient parcel, appurtenant.²⁷ The underlying legislation for easements in PNG is the *Land Registration Act*, No. 191 § 95. As known to this and other studies, easements have not been used in a coordinated way, or perhaps at all, to achieve conservation goals.²⁸

National Biodiversity Strategy and Action Plan (NBSAP)

PPAs are not addressed directly in PNG's most recent NBSAP (2007), submitted to the Convention on Biological Diversity; however, the plan does include a strategy to "Strengthen the capabilities of NGOs and community institutions to play an effective role in the conservation and management of biodiversity; in particular, initiate training programmes with 'umbrella NGOs' which have large networks of community-based organizations."²⁹

III. Financial Incentives for Privately Protected Areas

To the knowledge of this study, the PNG government does not offer any tax-based financial incentives to ILGs or private landowners engaging conservation activities. However, the draft Protected Areas Bill foresees the establishment of a *Protected Areas Trust Fund*, which could be used to support the establishment and maintenance of protected areas at both the national and provincial level through a range of mechanisms.³⁰ This may include Privately Protected Areas. The detailed workings of the Protected Areas Trust Fund are yet to be developed.

As suggested above, conservation programs in the Country increasingly depend on cooperation between customary landholders, government agencies, and NGOs. Many conservation efforts in PNG are funded through the contributions of external donors. PNG is a REDD+ country with a growing flow of conservation finance.³¹

²⁵ Personal communication, Mark Nizette, August 3, 2018.

²⁶ Klopff, 2004.

²⁷ Ibid., 27.

²⁸ Ibid., 27.

²⁹ Government of Papua New Guinea. 2007. Papua New Guinea National Biodiversity Strategy and Action Plan.

<https://www.cbd.int/doc/world/pg/pg-nbsap-01-en.pdf>.

³⁰ Personal communication, Mark Nizette, August 3, 2018.

³¹ The REDD Desk. 2012. "REDD in Papua New Guinea." Accessed September 2018. <https://theredddesk.org/countries/papua-new-guinea>.

Research organizations are another important source of funding and may pay ILGs or other landholders for the use of undeveloped forest (see case study).³²

Tourism

Tourism, a common funding source for conservation programs, has great potential in resource rich Papua New Guinea. Developing eco-tourism is a priority for PNG, and the Medium Term Development Plan 2 sets the goal of increasing the number of visitors and employees in PNG's tourist sector by about 30 per cent from 2013-2017.³³ For example, Trekking along the iconic Kokoda Track across the Owen Stanley Ranges raises significant revenue for the communities in a region which is currently undergoing the gazettal process.³⁴

IV. Organizations for Private Land Conservation

Governmental

- The Conservation & Environment Protection Authority (CEPA) is charged with natural resource management for the benefit of current and future generations.³⁵ CEPA is the government focal point for many NGO's and inter-governmental organizations.
- The Climate Change and Development Authority (CCDA) oversees sustainable development, is the focal point for REDD+, and conducts an array of climate resilience programs throughout the country.³⁶
- The Ministry of Lands & Physical Planning (MLPP) is the key institution for the management, titling, and transfer of lands.³⁷

Non-governmental

- The Binatang Research Centre (BRC) is a PNG-based non-profit organization that provides extensive professional training and educational services in the field of biodiversity.³⁸
- Until 2016, Conservation International (CI) was a leading international NGO in PNG's conservation community. Through site-based projects, educational programs, and many local and regional partnerships, CI has helped to slow irresponsible logging and overfishing in PNG.³⁹ In 2016, CI closed its PNG offices, completing a transition of its roles to the Eco Custodian Advocates (ECA).⁴⁰
- Eco Custodian Advocates (ECA) is a PNG non-profit focused on education and site-based management programs to protect marine biodiversity.⁴¹
- Partners with Melanesians (PwM) is a non-profit organization based in PNG, dedicated to conservation and sustainable development.⁴² In November of 2017, PwM succeeded in their 32-

³² Independent State of Papua New Guinea, 2014. P. 27.

³³ Government of Papua New Guinea. 2015. Medium Term Development Plan 2: 2016-7. Port Moresby: Department of National Planning and Monitoring. p. 76. <http://www.planning.gov.pg/images/dnpm/pdf/MTDP2.pdf>.

³⁴ Personal communication, Mark Nizette, August 3, 2018.

³⁵ See their website: <http://www.pngcepa.com/>.

³⁶ See their website: <http://www.ccda.gov.pg/>.

³⁷ See their website: http://lands.gov.pg/Minister's_Office/index.html.

³⁸ See their website: <http://baloun.entu.cas.cz/png/>.

³⁹ See their website: <http://www.pngembassy.org/environment.html>.

⁴⁰ Conservation International. 2016. "Papua New Guinea Program transitions to local entity." *Conservation International Institutional Statement*, published July 6, 2016. <https://www.conservation.org/NewsRoom/pressreleases/Pages/Conservation-International%E2%80%99s-Papua-New-Guinea-program-transitions-into-local-entity,-Eco-Custodian-Advocates.aspx>.

⁴¹ See their website: <https://www.ecocustodianadvocates.org/>.

⁴² See their website: <https://partnersinconservation.wordpress.com/>.

year effort to establish the Managalas Conservation Area, in partnership with local communities and with funding support from the Rainforest Foundation of Norway.

- The NGO Tree Kangaroo Conservation Program (TKCP) is one of PNG's most influential and widely-recognized conservation organizations. TKCP initiated the YUS Conservation Area in 1996. This forested area was PNG's first recognized indigenous-/community- protected area (IUCN Category IV). With support from TKCP, government officials and local community members partner to form the YUS Conservation Area Management Committee (CAMC).⁴³
- Tenkile Conservation Alliance is a non-profit organization based in the country, focused on sustainable development for rural communities and improved land management to achieve conservation goals. Their projects include a partnership with local leaders to establish a protected area in the Torricelli Mountain Range.⁴⁴
- The international NGO The Nature Conservancy (TNC) has been operating in PNG since the early 1990's and have active projects throughout the country.⁴⁵
- Wildlife Conservation Society (WCS) in PNG operates several programs, including mangrove restoration and forest conservation. Their forest conservation program includes the development of the *Village-REDD+* program, which they are piloting to improve forest management on customary land through payments for ecosystem services related to avoided deforestation.⁴⁶

V. Case Studies

As there are no examples of private land conservation in PNG, below are two case studies related to community conserved areas that demonstrate the important role the private sector still plays in developing, financing, and managing protected areas.

*YUS Conservation Area*⁴⁷

YUS Conservation Area was established in 2009 as PNG's first Conservation Area under the *Conservation Areas Act*. Located on the Huon Peninsula and named for the Yopno, Uruwa and Som watersheds, this 78,700 ha protected area provides critical habitat for the endangered endemic Matschie's tree-kangaroo, as well as home to countless other important species.

This project was spearheaded by the Tree Kangaroo Conservation Program (TKCP), an initiative of the Woodland Park Zoo, to conserve the Matschie's tree-kangaroo, but the program has expanded to include a broad landscape and components that enhance local community livelihoods. A partnership between TKCP, 50 local communities, the PNG government, Conservation International, and several international funders led to the site's gazettelement. The Conservation Area continues to be entirely owned by local people, with management support from the government.

⁴³ See their website: <https://www.zoo.org/tkcp/managingyus>.

⁴⁴ See their website: <http://www.tenkile.com/>.

⁴⁵ See their website: <https://www.nature.org/en-us/about-us/where-we-work/asia-pacific/the-pacific-islands/>.

⁴⁶ See their website: <https://png.wcs.org/>.

⁴⁷ Independent State of Papua New Guinea, 2017.

Wanang Conservation Area^{48,49,50}

The effort to designate Wanang Conservation Area in the Lower Ramu Region started in 2000, when 11 clans signed a conservation deed among themselves to protect 10,000 ha of forest from logging. This was the second designated Conservation Area in the Country.

In order to make this decision economically viable, the communities approached the New Guinea Binatang Research Center (BRC) to explore hosting research on their land. Today, an innovative partnership with the Smithsonian Center for Tropical Forest Research and BRC provides local communities with income for protecting their forest. Scientific research is now core to the local economy. Local people have received scientific training to monitor forest health and work as field assistants. They have also received compensation for leasing 50 ha of forest as a research station by the US National Science Foundation.

This project won the 2015 UN Equator Prize for Conservation Innovation⁵¹.

⁴⁸ Equator Initiative. 2007. "Wanang Conservation Area." Accessed September 2018. <https://www.equatorinitiative.org/2017/05/30/wanang-conservation-area/>.

⁴⁹ Smithsonian Center for Tropical Forest Research. n.d. "Wanang." Accessed September 2018. <https://forestgeo.si.edu/sites/papua-new-guinea/wanang>.

⁵⁰ Smithsonian Tropical Research Institute. 2008. "Establishment of the Wanang CTF/SIGEO Plot." Accessed September 2018. https://pharmacy.utah.edu/ICBG/pdf/News_Consevation.pdf.

⁵¹ <https://www.equatorinitiative.org/2017/05/30/wanang-conservation-area/>