

Special Agricultural Business Leases (SABL)

1. What is SABL?

A Special Agriculture Business Lease (SABL) is an agreement that takes customary land from its owners and gives it to a company or other organisation. The company is supposed to use the land to establish agriculture plantations. The land is taken for a fixed period of time and when that time is up, the land should be given back to the traditional owners.

2. How Land is taken through SABL

The *Land Act 1996* is the law that allows customary land to be taken through an SABL. The Minister for Lands is the person who gives the SABL. The Lands Department is the government office responsible for arranging the SABL.

3. How SABL has been misused to steal land

Since 2003, corrupt public servants in the Department of Lands and senior politicians have misused the SABL process. SABLs have been used to take almost 5 million hectares of customary land away from landowners across PNG. The landowners have not given their consent, yet their land has been given away to foreign companies. These public servants and politicians did not follow the clear steps that should be followed before an SABL can be issued.

Corrupt public servants and foreign companies worked with some foolish landowners to grab land without the knowledge and consent of all the landowners. Many of these SABLs have been issued for 99 years; so three or four generations of landowners will miss out on using their land.

Much of the land has been given to logging companies that pretended to be genuine agriculture companies. These companies are now logging all the forests without following any of the rules in the *Forestry Act 1991*.

4. 2011 Commission of Inquiry into SABL

In 2011 there were so many complaints from landowners, NGOs and academics about the misuse of SABL that the Government was forced to set up a Commission of Inquiry to investigate.

The Inquiry took two years and the Commissioners visited many of the SABL areas around the country. In 2013 the Commission of Inquiry produced two reports.

5. What did the Commission of Inquiry find?

The Commission of Inquiry found almost all the SABLs they looked at were unlawful.

The Commission found:

- i. Government Departments did not follow the right procedures to take customary land for SABL.
- ii. There was political pressure put on officials by senior ministers and politicians to fast track SABL applications and give the land to foreign companies.
- iii. Public servants were incompetent, and lacked commitment to do their jobs properly and protect the interests of local people.
- iv. The landowners whose land was taken through SABL, did not give their consent to their land being taken.

The Commission of Inquiry recommended many of the SABLs be cancelled. But the government has failed to cancel all the illegal leases and has not returned the land to its traditional owners.

SAY NO TO SABLs and STOP CUSTOMARY LAND GRABBING!



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