



HAUS BAGARAP HEVI KAMAP

Voices from the aftermath
of community evictions and
displacement at Paga Hill

HAUS BAGARAP HEVI KAMAP (HOMES DESTROYED, LIVELIHOODS LOST)

**A JOINT REPORT BY AID/WATCH AUSTRALIA, JUBILEE AUSTRALIA RESEARCH CENTRE
AND MEMBERS OF THE PAGA HILL COMMUNITY**

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Acknowledgments

Thank you to all of the individuals who agreed to share their experiences with us for this report. And to the people of Paga Hill - your perseverance, tenacity, courage and commitment to community inspire us deeply.

Cover image and opoosite from *The Opposition* film <https://theoppositionfilm.com>

All information correct as at date of publication.

“ THE STORY OF PAGA HILL
SHOULD BE SEEN AS A
“CAUTIONARY TALE”.

A WARNING FOR
OTHERS TO PREPARE FOR
FORCED DEVELOPMENT
IN PAPUA NEW GUINEA.
TO BE ONE STEP OF
WHAT’S COMING.

PAGA HILL YOUTH LEADER ALLAN MOGEREMA¹



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ABBREVIATIONS

APEC	Asia Pacific Economic Cooperation
CEDAW	Convention on the Elimination of All Form of Discrimination Against Women
CROC	Convention on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICCPR	International Covenant on Civil and Political Rights
K	Kina
LUA	Land use agreement
NCD	National Capital District
NCDC	National Capital District Commission
NGO	Non-government organisation
NHC	National Housing Corporation
OECD	Organisation for Economic Cooperation and Development
PHAR	Paga Hill Art Resistance
PHDC	Paga Hill Development Company (PNG) Ltd
PHLHC	Paga Hill Land Holding Company (PNG) Ltd
PNG	Papua New Guinea
SDT	Social diagnostic tool
TB	Tuberculosis
UN	United Nations
WaSH	Water, sanitation and hygiene
WHO	World Health Organisation

GLOSSARY

Baimuru	Ethnic group, originating from Central and Gulf Province
Geakone (Giakone)	A clan group of Motu Koita, claimed to be the customary landowners of Paga Hill
Kikori	Ethnic group, originating from Gulf Province
Kina	Currency of Papua New Guinea
Motu Koita	Customary landowner group of Port Moresby

EXECUTIVE SUMMARY



The seaside and idyllic settlement of Paga Hill before the demolitions and forced evictions. Video still from *The Opposition* film

“ Paga was my home and the best place to live. We lived like a big family. We had a semi permanent house, I had access to clean water, I ate healthy and fresh from the sea with some garden food. We used solar light. My basic needs were covered through selling fish at the local markets, and we moved around freely...

CAMERON, 30 YEARS OLD²

In Port Moresby, Papua New Guinea, approximately 3,000 people lived in harmony at Paga Hill, a picturesque headland jutting into the harbour.

In 2012, Paga Hill was a thriving community. People had lived there for up to four generations, in permanent and semi-permanent homes that they had built themselves. People cared for each other and looked after each other: it was like family. People grew fruits and herbs, and fished in the sea. They lived in peace, ate wholesome meals, and their children went to school. The people had built the community up themselves since the mid-1960s. They had installed power and water, built a community preschool and church, and developed a law and order community. The community regularly contributed financially to local customary landowners, and community members had an arrangement with them to take care of the more than 20 historical war bunkers from the World War Two era that were scattered across Paga Hill. The community was renowned as one of the safest settlements in Port Moresby.

But in 2012, all this would change forever, with the demolition and forced eviction of the community.

The location of the community's homes, which was formerly zoned as national park, was eyed by the Paga Hill Development Company (PNG) Ltd (PHDC). PHDC, a PNG-registered company with significant ties to Australia, acquired a lease on the land in contentious circumstances that were subsequently found by a PNG parliamentary committee to be 'illegally issued'.³

PHDC touted its plan to create the Paga Hill Estate, an unrivalled development, projected to cost 3 billion Kina⁴ (over AUD\$ 1.3 billion⁵) that would 'transform the look and feel of the nation's capital,'⁶ including a resort, casino, aquarium, war museum and cultural and exhibition centre.⁷

In the midst of a legal battle to evict the community, a previously unsurveyed portion of Paga Hill's land was subsequently surveyed, registered and acquired by a company wholly owned by the Paga Hill Development Company. At the same time, Port Moresby's city council, the National Capital District Commission, was spearheading a project to develop a ring road at the base of Paga Hill.⁸

Between 2012 and 2014, the entire community of 3,000 people were forcibly evicted from their homes. Community members were beaten by police, threatened at gunpoint to dismantle their homes, and were unable to grab their belongings. People's homes, possessions and assets were demolished by bulldozers and crushed into the dirt to make way for the Paga Hill Estate.

The two main demolitions/evictions, in May 2012 and July 2014, were carried out by police, in response to court orders sought and obtained by PHDC. Both demolitions were undertaken as the community were fighting legal battles to have the court orders overturned.

Curtain Bros Papua New Guinea Ltd ('Curtain Bros'), a PNG registered company with significant ties to Australia, were engaged by the NCDC to build a ring road over the site of the demolished community, Curtain Bros also helped resettle some of the Paga Hill residents at a site called Gerehu after the second demolition/eviction in July 2014.

Following the complete destruction of the Paga Hill community, the people were scattered across various locations, including Gerehu and Six Mile, two different locations on the outskirts of Port Moresby.

This report investigates what happened to the people of Paga Hill, and reports on their living conditions within the settlement of Six Mile, Gerehu, on the streets and within other settlements and scattered locations in and around Port Moresby.

The Paga Hill Development Company said that they would arrange for residents of Paga Hill to receive land title, along with electricity and water, at a site at Six Mile, a settlement approximately 10 kilometres from the heart of Port Moresby. Approximately 400 people, provided with meagre assistance, moved to this location, which was later called 'Tagua'. Under the management of the Paga Hill Development Company, the site did not have adequate access to water, electricity, or appropriate sanitation systems.

As at time of writing, the people of Tagua, Six Mile, have one water tap that works sporadically. They do not have electricity or appropriate sanitation systems, and many people are still living in tents that are now breaking after years of use. They do not have security of tenure and continue to live in fear of eviction.

Community members say that the National Capital District Commission said that members of the Paga Hill community would receive land title, water and power at a piece of vacant land on the outer edge of Gerehu, a large suburb of potentially 50,000 people located about 16 kilometres from Paga Hill.⁹

Approximately 600 people were moved to this vacant land, which was later called '8th Street' by the people of Paga Hill. Community members say that Curtain Bros transported these people by truck, along with the leftover materials of their homes, a lot of which were half or completely destroyed. Households were given approximately K1,000 (approximately \$AUD452), allegedly to purchase nails.¹⁰

As at time of writing, at 8th Street, Gerehu, no electricity had been connected by the NCDC.¹¹ A handful of the community have installed solar, and people have dug toilet pits.¹² Access to running water is at a distance. The sole water tap is located within the neighbouring community of Stage 7, and shared among both communities. Each time a person gathers water, which occurs 2 to 3 times per day, they must pay a 2 Kina to 3 Kina fee to the Stage 7 community, and carry heavy loads of water across this distance.¹³ This has subsequently caused back injuries. People living at 8th Street, Gerehu do not have any security of tenure and could face eviction again at any point in their lifetimes.

Community members estimate that a further 2,000 people, or two thirds of the former community, are living on the streets, living with relatives, have moved back to their families' home provinces, have found alternative accommodation, are scattered elsewhere in PNG, or have passed away.¹⁴ Community members say that the vast majority of these people did not receive further assistance.

This is the first systematic study that attempts to trace the impacts of demolitions on displaced communities in Port Moresby. The data we have collected also provides an insight into the types of impacts that have been felt across PNG, as dozens of mass forced evictions have occurred over the past decade.

We interviewed 190 people to find out about their living conditions following the demolitions of their community at Paga Hill. 15 people were living within the settlement of Six Mile; 112 were living at 8th Street, Gerehu; 31 were homeless and living on the streets;

and 32 people were living in other settlements and scattered locations in and around Port Moresby.

KEY FINDINGS

We found that of the 190 people that we interviewed, no one is experiencing the same fulfilment of basic needs and rights that they had at Paga Hill.

While living at Paga Hill, over 96 per cent of people interviewed reported that they had access to shelter, security, water, electricity, health, education for children and young people, church, food and nutrition.

Following their displacement, the only basic needs being met by a majority of people interviewed were shelter (79 per cent of people interviewed) and access to a church (80 per cent).

By contrast, only:

- **5 per cent of people interviewed felt that they were safe;**
- **6 per cent of people interviewed felt they had access to appropriate sanitation;**
- **11 per cent of people interviewed had access to electricity; and**
- **37 per cent felt that they had access to water.**

People interviewed were most concerned regarding security (96 per cent), access to sanitation (95 per cent) and health (94 per cent).

Many people interviewed were concerned by extremely poor access to water and no access to electricity. Many people had concerns about conflict and safety, lack of security and the threat of violence towards women. Others were concerned about their ability to make an income, and access to education for their children.

48 per cent of all people interviewed said that family members or close friends who formerly lived at Paga Hill had died since the first demolition at Paga Hill in 2012.

25 per cent of all people interviewed directly blamed the death of family members or friends on the demolitions, evictions and relocation. Stress, worry and trauma were attributed as key factors in some individuals' decline, and the sick and elderly struggled to have their needs met during and after the transition. Other people spoke of their family members being subjected to violence and murdered.

64 per cent of all people interviewed believed that it was likely that and their families would be evicted again.

The United Nations Committee on Economic, Social and Cultural Rights has defined 'forced evictions' as 'the permanent or temporary removal against their will of individuals, families and/or communities from the homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection'.¹⁵

PNG is a signatory to the International Covenant on Economic, Social and Cultural Rights. The UN Committee on Economic, Social and Cultural Rights has further identified the obligations of State parties to the Covenant to promote the right to housing using 'all appropriate means', including reviewing and implementing legislative measures to ensure compliance with relevant obligations under the Covenant. This includes ensuring that legal remedy is provided to people affected by eviction orders, and that these measures are appropriately enforceable.

In the case of Paga Hill, this has not occurred.

To this day, the Paga Hill Estate has never been built. Paga Hill is a hill devoid of life: all trees, greenery, homes and community have been razed. It is a hill of scraped, naked dirt and stone, and has remained barren for years.

The people of Paga Hill were never appropriately compensated for the destruction of their homes, which many had built themselves; the destruction of their assets and possessions, including furniture, whitegoods, boats, televisions, toasters, irons, electric stoves and computers; or for the violation of their rights.

Without security of tenure, these individuals, and anyone in PNG, could face eviction, again and again over the course of their lives. An individual is faced with the situation in which they could never have a secure home in their lifetime.

The people of Paga Hill want to see basic services provided, justice and compensation, for their homes to be rebuilt and for their community to be re-established.

When openly asked how their living conditions could be improved, the vast majority of people interviewed, **62 per cent, wanted access to basic services such as water and electricity. 33 per cent of people interviewed wanted to 'see justice' and**

be paid compensation, and 27 per cent wanted security of tenure: for the people of Paga Hill to be given their own land title.

A further 15 per cent of people interviewed wanted their communities to be safe and 8 per cent of people interviewed wanted their homes to be rebuilt by those responsible for destroying them.

The story of Paga Hill is significant, as it is part of a wider story in which thousands of people across Papua New Guinea each year are evicted from settlements, or face the threat of eviction to make way for new development and infrastructure.

A full listing of our recommendations can be viewed later in this report. This includes our recommendation that the Government of PNG review legislation and policies to ensure that they are compatible with its international obligations, and relevantly repeal, amend or implement any legislation or policies that are inconsistent with its obligations.

However, most urgently, we make the following recommendations in order to assist the community of Paga Hill with their immediate needs.

Security of tenure

We recommend that the National Capital District Commission, along with the Lands Department, to work together, with customary owners, to promptly allocate security of tenure on an individual household basis to families from Paga Hill living at 8th Street, Gerehu. We recommend that this should occur within 12 months of date of publication of this report.

We recommend that a process of zoning be commenced at Tagua, Six Mile and that security of tenure should be allocated on an individual household basis to community members from Paga Hill. We recommend that this should occur within 12 months of date of publication of this report.

Infrastructure

We recommend that the National Capital District Commission, in consultation with the community, take immediate steps to create appropriate infrastructure for running water, electricity, sewerage and sanitation and provide appropriate maintenance at 8th Street, Gerehu, and create infrastructure for sewerage and sanitation systems, and improve existing infrastructure to access water at Tagua, Six Mile. These should be established as promptly as possible, and be completed by December 2020.

We recommend that the Paga Hill Development Company and National Capital District Commission contribute to a fund that the National Capital District Commission will administer to improve relevant infrastructure at Tagua, Six Mile.

Assist the dispersed community

We recommend that the National Capital District Commission apportion land with secure tenure and services at 8th Street, Gerehu, or alternatively at a new plot of land, to provide for members of the Paga Hill community who have been otherwise dispersed.

Compensation

We recommend that the NCDC and PHDC provide all households living at Paga Hill who had their semi-permanent homes and permanent homes and assets destroyed with appropriate remedy, including compensation. We recommend that Curtain Bros use any leverage or influence they have to help ensure this happens.

Recommendations to the Government of Papua New Guinea

We recommend that the Government of Papua New Guinea exert its influence to ensure that the NCDC commits to the recommendations we have made above.

Human rights due diligence

We recommend that Curtain Bros. Group should develop and implement appropriate human rights due diligence policies in relation to future projects, and publicly commit to adhering to them.

We support the Human Rights Law Centre in its recommendation that the Australian government 'improve oversight, monitoring and access to justice in Australia for communities harmed by the operations or activities of Australian companies overseas, and introduce mandatory human rights and environmental due diligence obligations for large Australian companies and those operating in high risk locations and sectors'.¹⁶



Youth in a yoga class at one of the WW2 bunkers at Paga Hill, converted into a youth and community art space. Video still from *The Opposition* film

“ Paga was the best community in Moresby. We all were like family. We had power in our house, water, school for kids, church and we were totally safe.

GRACE, 37 YEARS OLD

1 | INTRODUCTION

Between 2012 and 2014, approximately 3,000 people were forcibly evicted from their homes at Paga Hill, one of the oldest settlements in Port Moresby, Papua New Guinea.

People watched as their homes were bulldozed. Some people clutched a few meagre possessions. Others were unable to grab any at all. Some people were brutally beaten by police with iron bars. The police fired on unarmed citizens who ran for their lives. One girl, Esther¹⁷, ran into her home and refused to come out in an effort to stop the bulldozers from demolishing her home.

Over ensuing months, people slept on the ground under tarpaulins, or huddled in the community's church. Eventually, the church, which had been built by the community, and was a source of shelter for many, was also demolished. In 2014, in a final act, the crushed materials of people's homes were burnt so that they were unable to salvage the materials.

Left destitute and deprived of their houses, possessions and the safety of the community that many of them had lived in for decades, if not their whole lives, Paga Hill residents were scattered across Port Moresby and broader Papua New Guinea.

Attributing responsibility for the demolition of the homes and other buildings and the evictions of the Paga Hill community between 2012 and 2014 is complex.

The first eviction was carried out by the Police Task Force Unit on 12 May 2012. The eviction occurred in response to an eviction order given to PHDC by a District Court Clerk. The eviction happened on the same day that the community was seeking to challenge the legality of that very order at the National Court.

The second demolition of 22 July 2014, occurred in the midst of a legal challenge by the community.

PHDC has denied active involvement in either of the two demolitions or evictions. However, the two evictions occurred in response to court orders sought by

PHDC, both of which were being appealed by the community at the time. PHDC sought these evictions in order to develop the land to which it believed it had received title.

The other role played by PHDC was that it arranged for approximately 400 of the former Paga Hill residents to move to Six Mile. No basic services were provided by PHDC to the relocated community at Six Mile.

The Paga Hill Development Company (PNG) Limited ('PHDC'), is a PNG-registered company with significant ties to Australia.

The story of Paga Hill also involved another PNG company with ties to Australia: Curtain Brothers Papua New Guinea Ltd ('Curtain Bros'). In the period between the first and second demolitions, Curtain Bros was contracted by the NCDC to build a ring road around the base of Paga Hill. The road was subsequently built over the site of the dwellings that were knocked down during the second demolition in 2014.

Additionally, Curtain Bros was asked by NCDC to transport approximately 600 former Paga Hill residents and their destroyed house materials to Gerehu after the second eviction in 2014, and cleared the land at Gerehu. However, Curtain Bros maintains that it was never paid for this work.¹⁸

Curtain Bros Papua New Guinea Ltd is a company part of the larger Curtain Bros group,¹⁹ which was established by Australians in 1966. Its main business sector is listed as construction²⁰ and its other business activities include distribution, transportation and manufacturing.²¹ As at May 2020, the shares of Curtain Bros were 100 per cent owned by Curtain Bros Holdings (NG) Ltd,²² a PNG registered company based in Port Moresby, who listed its main business as 'other'.²³ As at May 2020, the shares of Curtain Bros Holdings (NG) Ltd were retained by Curtain Holdings Pty Ltd,²⁴ an Australian registered company based in South Townsville, Queensland.²⁵

In this report, we make recommendations that would substantially improve the current living conditions of the community displaced from Paga Hill.

“ I lived in our semi permanent family house and I had access to basic services provided by our own community. I also had access to church and school for my kids to attend. My family fished during day/night so I ate proper meals. I lived in freedom throughout my childhood. Paga was the most beautiful experience in my life. All Paga kids would relate.

RICHARD, 36, NOW LIVING AT PARI

The Government of PNG has ratified leading international covenants and conventions that provide important protections on its citizens' rights, including, among others, the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Social, Economic and Cultural Rights (ICESCR), the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) and the Convention on the Rights of the Child (CROC).²⁶

These obligations include a commitment to the right to housing (Article 11(1), ICESCR; Article 14(2)(h), CEDAW; Article 27, CROC); the right to water and sanitation (Article 14(2)(h), CEDAW; Article 24(2)(c), CROC);²⁷ the right to health (Article 12, ICESCR; Articles 12, 14(2)(b), CEDAW; Articles 23, 24, CROC); the right to education (Article 13, ICESCR; Article 10, CEDAW, Article 28, CROC); the right to food (Article 11, ICESCR; Article 24(2)(c), CROC); and freedom of religion (Article 18, ICCPR, Article 14(1), CROC).

However, access to all of these rights has been significantly impeded for the Paga Hill community, as a result of the demolition and forced eviction of their community.

The story of Paga Hill was documented in award-winning documentary film *The Opposition*, directed by Hollie Fifer and produced by Media Stockade.²⁸ The film follows Paga Hill resident and community leader

Joe Moses and his struggle to protect the residents of Paga Hill from demolition of their homes—it also graphically captures the chaos of the 2012 eviction.

The community leaders of Paga Hill became deeply involved in advocacy for the community, engaging in an extensive legal battle and creative arts campaign that highlighted the demolitions and evictions at Paga Hill at an international level.

Yet despite the prominence of the Paga Hill demolition, more than 23,000 people have been threatened by or experienced forced eviction in Port Moresby alone since 2013.²⁹

Settlements across the world also continue to face the threat of eviction. The story of Paga Hill is significant, as it is a microcosm of a national and global story.

The story of Paga Hill paints a picture of the human cost of such evictions, and their long lasting effects. It is a cautionary tale, not just for PNG, but for the world.

2 | ABOUT THIS REPORT

In May, June, August and October 2017, evidence-gathering activities were undertaken by researchers from Jubilee Australia Research Centre, Aid/Watch Australia and community partners in Papua New Guinea (PNG).

During May to June 2018, over a 6-week period, our community representatives in PNG conducted a social mapping study, with methodology approved by former Paga Hill leaders. Further detail regarding this methodology can be viewed in Appendix A to this report. During this period, youth leaders and representatives from the Paga Hill community interviewed households and 190 former residents of Paga Hill. We interviewed 97 women and 93 men, with an approximate median age of 33.9 years.³⁰ Pseudonyms have been allocated to all individuals interviewed in order to protect their identity.

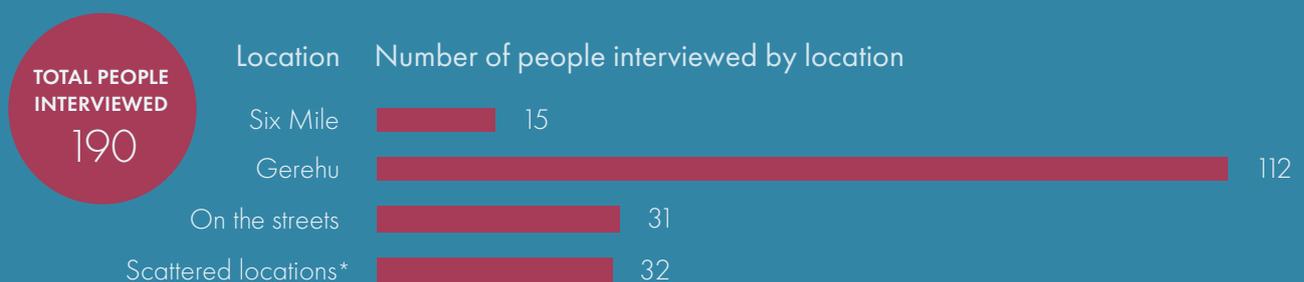
Obtaining this research was fraught with challenges to our researchers' safety. Our Australian researchers slept in settlements of Port Moresby and on the

streets, with Paga Hill youth leaders acting as 24-hour security for researchers, sleeping beside them at night to protect them. Research obtained within Tagua, Six Mile was required to be discreet and undercover, and completed by Paga Hill youth, using hidden Go-Pros and audio recording devices. Community members feared the threat of violence, or reprisal or retribution if they were found recording. This fear was well founded: during the Paga Hill demolitions, they had witnessed community members who filmed the demolitions brutally beaten by police and their cameras broken. Research obtained within Gerehu did not face the same security challenges.

Further research with community leaders was undertaken from Australia in 2018, 2019 and 2020. Further information regarding research methodology can be viewed in the Appendix to this report.

We sought to investigate how people's lives had been altered following their evictions, and to speak with them about their ongoing challenges. This report captures their voices and their stories.

GRAPH 1 TOTAL PEOPLE INTERVIEWED, BY LOCATION



*In and around Port Moresby, including but not limited to: ATS, Erima, Hanuabada, Hohola, Kaugere, Kone, Morata, Downtown Port Moresby, Sabama

to be self-employed. Many people involved themselves in informal market activities, selling items such as betel nuts, cigarettes, produce from trees in their backyards and herbal plants.³⁶

Community members said that many low-income earners engaged in informal marketing of cooked food and fish to 'the town folks'. Mothers sold their goods in informal marketing from little rooms in their homes, in approximately 20 little canteens throughout Paga Hill, and on tables next to their homes. Other mothers travelled into Port Moresby and down to Ela Beach armed with lunchboxes filled with goods to sell their wares.

People suggested that engaging in informal marketing activities of food and fish had substantially increased the income of Paga Hill families, and subsequently, many children were able to attend schools and universities in Port Moresby and around the country.

In addition, with acute housing problems in the city, the residents of Paga Hill built houses to rent, and also operated small businesses.

Many young people were engaged by shop owners to sell store goods on the street and from house to house. Young people were also engaged in paper-making, fishing, creative arts, yoga and acrobatics. Local non-government organisations were also active in the community, conducting business training, cooking classes and programs on health and nutrition, including awareness programs on HIV/AIDS. There was also an art centre held within one of the war bunkers on the hill.

In PNG, relatively few people are engaged in formal employment – potentially about 10 per cent of the population³⁷ - at Paga Hill, more than 54 per cent of the Paga Hill population was formally employed.³⁸ Community leader Joe Moses noted that many of the people of Paga Hill were working as 'public servants, university students, artists, court officials and in real estate. We have business people, as well as truck drivers, carpenters, plumbers, mechanics and bricklayers'.³⁹

Four generations were living at Paga Hill,⁴⁰ and the majority of the population, 61 per cent, had lived at Paga Hill all their lives.⁴¹

There were a lot of young people at Paga Hill – 26 per cent of the population were aged under 15.⁴² 35 per cent of the population were aged between 16

and 31, with a further 33 per cent of people aged 32 to 47, and 6 per cent aged 48 to 63.⁴³

People living at Paga Hill came from a range of backgrounds. Of the total population, 47 per cent were of Kikori ethnicity, and a further 10 per cent were of Baimuru ethnicity, meaning that older generations of these groups and their ancestors originated from the Gulf province.⁴⁴ A further 10 per cent were of Baimuru ethnicity (57 per cent of whom were from the Gulf Province), 20 per cent were of Southern Highlands' origin, and 8 per cent were of Eastern Highlands origin.⁴⁵ PNG has 22 provinces, and community members say that there were representatives from all of the provinces living harmoniously at Paga Hill. Paga Hill was therefore unique in the range of ethnicities living there, yet the harmony of its community.

Social activities brought different ethnic and regional groupings together to fully participate as a community, including youth activities, and mothers' cooking and sewing activities. The participation of different NGO groups had also contributed immensely to the creation of healthy lifestyles and purpose in life approach.

Paga Hill was comprised of the lower, middle and upper Paga community. Above the settlement, the top of the hill ('top Paga') was occupied by National Housing Corporation estate houses, which were rented to public servants and others from the private sector. This was home to approximately 400 people.⁴⁶

While the majority of the population were young people (51 per cent were under 31), 57 per cent of the Paga Hill population reported that they had constructed semi-permanent and permanent houses on the land.⁴⁷ The average value for each home was declared to be worth K32,972.32 (approximately AUD\$14,912).⁴⁸ Many people's homes were constructed on high timber or steel pipe posts, with a timber frame, tongue and groove floor, adjustable glass louvre windows with flywire, and were lined and ceiled with plywood. Some had walls made from iron sheets, trim dek, timber or weatherboard and were topped by a corrugated galvanised iron roof. Many were two bedroom dwellings with dining/living areas and a kitchen, or three or four bedroom or multi-level dwellings, and connected to electricity.

It was common for a number of families to live together in a single household. This is common in crowded areas, not only in the settlements of Papua New Guinea, but also worldwide.⁴⁹

An inlet of the community stretched out into the ocean. It held some 200 homes on it, a church and preschool. This land had been reclaimed from the sea, by filling it with sand and building rubble from developments elsewhere in Port Moresby.⁵⁰ This seafront settlement comprised different regional groups of people, predominantly Kikorians, who were the pioneer settlers. This 'reclaimed land' area would later form a key part of the dispute between the Paga Hill community and the developers.

Although Paga Hill fell under the Moresby South Electorate, and the majority of community members were enrolled and had the right to vote during elections, no services were provided to Paga Hill.

After many years of neglect, community members took matters into their own hands to develop their community.

The community put running water in place in around 1999 or 2000. Prior to that, community members say, there was only one tap, which had been set up by the government at the roadside. The community subsequently contributed money to establish pipes and taps, helping to connect the pipes, and arranging for service providers helped to hook it up to the main city water supply. From then on, more than 20 taps were spread throughout the community.⁵¹

The residents of Paga Hill also established electricity posts and connected power to their own houses, so almost all houses had electricity. The community gathered funds to buy their own power poles, and contacted the main state-run electricity company, PNG Power, asking to be connected. The community were subsequently connected into the main grid. Many people had fridges, televisions and computers in their homes, electric kettles, electric stoves, radios, microwaves, toasters and irons.⁵² The National Housing Corporation owned the top of Paga Hill, so the government connected their electricity.

There was one road in and out of Paga Hill. A road built by soldiers during World War II led down to the lower Paga area. It was in bad condition, and wasn't maintained by the government. Young people would patch the potholes.

The community established a kindergarten school for children aged 3 to 6 years old, setting up the school in a converted shipping container.⁵³ Kids in the community attended schools in and around Port

Moresby. It was a 5 minute walk to town, and then a bus ride to go to the Konedobu Health Centre.

The community had established a community law and order committee, which collaborated together to mediate disputes, and also worked closely with the town police to maintain law and order within the community.

The community also built a Seventh Adventist church on the reclaimed land, which was an important part of the community, and regularly attended by many residents.

The Paga Hill settlement was one of the oldest settlements in Port Moresby, and was respected for its high standards of community leadership.

Community members had an agreement with customary landowners that they could reside on the land. This agreement stretched back generations.

Former residents of Paga Hill spoke about what their community was like before the evictions. Paga Hill was described as a safe place, with a strong sense of community, and where people's basic needs were met. This community also created a safety net, able to support members facing hardship.

'Living in Paga is like living in a wealthy life - no matter how poor we are, we know how to make money, we have running water nearby, we have electricity, we are worried about nothing.'

MARIA, 26 YEARS OLD, MOTHER OF THREE

'Living in Paga Hill was great, I had a house, the water tap was just near my house, there was electricity - it didn't connect from the main post - but life was easy. We had a preschool, church, ate safe and nutritious food and there was security in Paga Hill.'

PATRICK, 57 YEARS OLD, FATHER OF THREE

TABLE 1 BASIC NEEDS MET OF PEOPLE INTERVIEWED WHILE LIVING AT PAGA HILL

Basic need	No. of people who stated this need was met living at Paga Hill	% of people interviewed
Shelter	189	99.47%
Security	184	96.84%
Water	189	99.47%
Electricity	189	99.47%
Health	188	98.95%
Sanitation	109	57.37%
Education for children	187	98.42%
Church	189	99.47%
Food and nutrition	189	99.47%
Total	190	

The young people we interviewed – who at the time of the evictions were children or in their early to mid teens – recalled that Paga Hill was easy, safe and fun. ‘Paga was good, we had everything. Everyone was like family to each other. It was a sharing and caring community,’ said one young person we interviewed. Another remembered that ‘as a child back then, I would say it was fun, enjoyable, free and safe. We had access to water and power and it was good’. ‘It was just so nice and beautiful because as a child back then I can only remember the sea and the enjoyment of being at Paga,’ said another young person. This was echoed by another who told us that ‘Paga was always fun, the sea was always an enjoyment and it was a safe and happy community. It was a good place and we all loved it.’

3.2 ACCESS TO BASIC NEEDS AND RIGHTS

In research conducted by Jubilee Australia Research Centre and Aid/Watch Australia in 2018, people overwhelmingly stated that at Paga Hill their basic needs and rights were met.

More than 99 per cent of people interviewed said that they had **access to shelter and housing**. The majority of housing was classified as permanent and semi-permanent with only a very small percentage considered makeshift or similar to a shanty house;

More than 96 per cent of people interviewed said that at Paga it was **secure and safe**;

More than 99 per cent of people interviewed had

access to running water. Most homes at Paga Hill had running water located just a few minutes walk from their homes, as many families had previously established connections to the mains’ water supply;

More than 57 per cent of people interviewed had access to **sanitation**;

More than 99 per cent of people interviewed had **access to electricity** – all permanent and semi-permanent houses had an electricity supply, and many families had appliances within their homes, such as refrigerators, televisions, computers, electric kettles, electric stoves, radios, microwaves, toasters and irons.

More than 98 per cent of people interviewed stated that their basic need to **health** was met. The nearest clinic was a short drive from Paga Hill, and there was access to basic medical supplies;

More than 99 per cent of people interviewed stated that **education for young people and children was available at Paga**. There was a pre-school at Paga Hill for children aged between 4 and 6 years old, and easy access to primary schools and high schools nearby;

More than 99 per cent of people interviewed stated that they had access to adequate food and nutrition. People living at Paga Hill had enough nutritious food to eat, including fish they caught in the sea, herbal plants and fruit (including bananas, coconut, pawpaw and mango) collected from the land at Paga Hill, and income to buy other food;

More than 99 per cent of people interviewed stated that they were able to fulfil their need to religious expression. There was a Seventh Day Adventist church at Paga Hill, which was an important and prominent aspect of community life, as well as another church, called CRC Church.

Almost half of the people we interviewed openly described Paga Hill as a safe place to live. A number of people, especially women, described being able to move or walk around freely without fear.

A number of women interviewed noted that Paga Hill was conveniently located within close access to Port Moresby, which was important for people's commercial activities. One woman, Rosa, a 57-year-old with five children, told us that 'even small marketing sold out fast and I could support myself'.

The importance of the sea to peoples' lives was emphasised by many of the people we interviewed – in fact one in every six people we interviewed spoke about the importance of the sea to them and the community. Both women and men explained the sea's importance as a source of food and income: 'most of us survive from the sea'. 'Life was easy because the sea was nearby and we depended on it for protein and also for small marketing in terms of fish,' a 43-year-old mother of four told us. Similarly, a 49-year-old father of five said that 'though we are not in any formal employment we have the sea to fish and make our living'.

3.3 WHO OWNED PAGA HILL? A HISTORY OF THE COMMUNITY AND ITS CLAIM TO LAND

Paga Hill is state land, owned by the State of PNG. However, for centuries prior to colonisation, this land was customarily owned. The land at Paga Hill has been previously claimed as customary land by the Geakone clan,⁵⁴ and customary owners assert that they never ceded sovereignty over the land.

The people of Paga Hill believe that the 'Geakone clan has the right to give custody of Paga Hill to the settlers'.⁵⁵

The connection between the Geakone and the people of Paga Hill stretches back centuries to the *hiri* trade.⁵⁶ During the *hiri* trade period, the custodians of Port Moresby made large canoes, *hiri lagatoi*, that travelled around to the Gulf Province, to Kerema, where the first settlers of the Paga Hill

community are from. In this region, there were large sago plantations. Bartering between the communities took place, with items such as shells, fish and sago playing a large role in the connection between what later came to be the Paga Hill people, and the customary landowners.

Household connections between the Gulf people and the custodians of Port Moresby therefore go 'way back'. This connection 'going way back' involving trade relationships, paved the way for connection between the people from the Gulf and the customary owners of Port Moresby.

According to an account given by customary landowner leader Dirona Lohia Doriga, and a social mapping report compiled by the Paga Hill community, the movement of settlers into Paga Hill originated at the aftermath of World War Two. After World War Two, an Australian, Colonel Cole Wilson, was appointed by the Colonial Administrator to take care of all World War Two relics in PNG. Colonel Wilson requested Mr Mairi Nakaia, a veteran soldier and member of the Kikori clan, to move into the Paga Hill area to oversee the concrete of the World War Two batteries and bunkers.⁵⁷ The Geakone knew about this arrangement.⁵⁸ Mr Mairi Nakaia was subsequently followed to Paga Hill by his biological relatives.

According to these accounts, the pioneer settlers of Paga Hill were therefore the Kikori people of the Gulf Province. When the Kikori people came to settle at Paga Hill in around 1964,⁵⁹ Port Moresby was still only a small town of 33,500 people.⁶⁰ The first wave of Kikori settlers came to settle between 1963 and 1965,⁶¹ including on land reclaimed from the sea.⁶²

Before the 1970s and independence, and before a monetary system came into play, bartering between the communities occurred. This later turned into arrangements that involved currency.

Upon Mr Nakaia's death in 1970, Geakone clan leader and primary landowner, Mr Lohia Doriga paid tribute, acknowledging the late Mr Nakaia's work in the area and 'asked the settlers to continue taking care of the World War Two relics'.⁶³ In 1971, he convened a landowners' meeting at Paga Hill and formed a committee to continue the work as curators of the site. The committee was made up of four Kikori settlement leaders.⁶⁴

Thus, the traditional landowners of Paga Hill recognized the settlers' existence and guaranteed permission to the settlers as custodians. The son of the leader of the Geakone clan, Mr Dirona Lohia Doriga further signed a Statutory Declaration in which he testified about the agreement for the Kikori settlers as custodians to the said Geakone's land.⁶⁵

Over time, descendants of this wave of Kikori migration moved to live on reclaimed land by the Paga Hill seafront. Community leaders interviewed insisted that the Kikori living at Paga Hill at the time of the evictions still had the benefit of the agreement under customary law that was struck between their ancestors and the Geakone.

In what is also a common arrangement in PNG, there was a cultural arrangement between the indigenous landowners and the Kikorians to reclaim the sea front for settlement. The relationship was apparently formalised in around 1970-71.

Since the 1970s (after currency was in circulation), on a monthly or quarterly basis, the community of Paga Hill passed around baskets and every household would donate money, perhaps 2 to 5 Kina, depending on how much people had, as a payment to the customary landowners for living on their land.

On special occasions affecting the Geakone landowners, such as a landowner being ill or someone had died, every household of the Paga Hill community would raise money to contribute to the landowners' needs. The landowners lived close by at Kone, 5 minutes away from Paga Hill.

In keeping with the arrangement with their forebears, the Paga Hill community continued to take care of the more than 20 war bunkers at Paga Hill. The community sometimes painted them, cleaned them and some were used as a residence.

The largest bunker was a community space - it was a space to do art, music, performing arts and yoga. The bunker acted as a meeting space for young people, but also involved the entire community - mothers, fathers and the elderly congregated there.

The informal arrangements with customary landowners at Paga Hill are not atypical in PNG. Arrangements in other locations throughout PNG include conditions such as cash payments, and restrictions in relation to land use or who may reside on the land.⁶⁶ Such informal arrangements for urban settlements from customary owners are also not new; 'they are symbolically

and materially modelled on old practices and customs that historically were widespread in PNG'.⁶⁷

During the course of time, many other people from other parts of PNG decided to migrate to Paga Hill and make it their home.

There were several waves of migration into Paga Hill, which resulted in communities with separate but interlocking identities and different kinds of perceived claims to residency rights on the Paga Hill land. Community members came from all over PNG: Gulf province, the Southern and Eastern Highlands, Sepik province, Simbu province, West New Britain and many others.

Over the 1970s to 1990s, many labourers, and migrants from different parts of PNG, moved to Paga Hill with their families. Paga Hill was conveniently located near the wharves and downtown construction sites, so they were predominantly wharf and construction labourers. These people lived on the lower and middle parts of Paga Hill, and some of them moved to an area of land that was reclaimed seafront land over time.

This reclaimed seafront land was reclaimed by the people of Paga Hill along the foreshore, by filling it in with sand and building rubble from developments elsewhere in Port Moresby.⁶⁸ Approximately 200 houses were subsequently built on this strip of 'reclaimed land'. This 'reclaimed land' area would later become a key part of the dispute between the Paga Hill community and developers.

Land at the top of Paga Hill was managed by the National Housing Corporation, and some public servants lived there. Part of this land was occupied by a Police Mess Hall and Police Hall and apparently owned and operated for the benefit of Police Legacy,⁶⁹ which provided accommodation to the widows of policemen who had died in the line of duty.

3.4 THE GOVERNMENT'S AND PHDC'S CLAIM TO THE LAND

While the Geakone assert that they never alienated their land to the State, the PNG Government took over the rights to Paga Hill that were previously asserted by the British colonial administration.

In 1987, the PNG government surveyed land described as Portion 1597, which covered Paga Hill (except for the reclaimed land). Portion 1597 contained important World War Two installations, prehistoric sites and natural beauty - it was declared

a National Park in January 1987.⁷⁰ Later that year, Portion 1597 was 'reserved from lease for the purposes of open space'⁷¹ and placed under the management of the National Parks Board and preserved for future generations. However, in 1995, the National Parks Board ceased to exist⁷² and 'speculators saw the land as ripe for acquisition'.

In 1997, the Department of Lands and Physical Planning granted the Paga Hill Land Holding Company (PNG) Ltd (PHLHC), a five-year urban development lease over Portion 1597, commencing on 18 December 1997.⁷³ A large number of 'onerous conditions' were attached to the lease, none of which were complied with.⁷⁴ This included that improvements be made to the land to a value of K300 million, to be undertaken in the first five years of occupation. As at March 2006, this had still not occurred.⁷⁵

In 2000, a new entity, the Paga Hill Development Company (PNG) Ltd (PHDC) was formed.

The Department of Lands and Physical Planning granted PHDC a 99-year business lease over Portion 1597, which commenced on 1 September 2000.⁷⁶ The issuing of a business lease to PHDC was improper, as this should have been issued to the same company that held the urban development lease.⁷⁷ The lease contained 'only very basic covenants,'⁷⁸ yet neither covenant was complied with.⁷⁹ The lease was also inaccurate, assuming that all land was zoned 'commercial'. In reality, it had varied zonings, and a subsequently parliamentary committee found that 'the lease was illegally issued'.⁸⁰ In 2002, PHDC engaged an Australian architectural firm to visit Paga Hill and later the architects commenced work on designs for the Paga Hill Estate.⁸¹

PHDC planned to build the Paga Hill Estate, 'an exclusive, master planned development', featuring 'residential living, waterfront restaurants and retail, commercial and office spaces, marina complex, hotel and cultural facilities'.⁸² PHDC claimed: 'with tourists and visitors staying at the Hilton Hotel, residents of the site, together with city visitors enjoying the waterfront retail, restaurants and marina complex, the area will be a buzzing melting pot, creating a new image for a progressive Papua New Guinea'.⁸³

In 2006, PNG's Permanent Parliamentary Public Accounts Committee concluded an inquiry into the Department of Lands and Physical Planning, finding that for many years the Department had conducted itself illegally, and given priority to the interests of pri-

vate enterprise and private speculators over the interests and lawful rights of the State.⁸⁴

The Committee chose five plots of alienated state land at random that had been transferred into private hands prior to 2002,⁸⁵ one of which was Paga Hill. The Committee noted that the land at Paga Hill was of 'considerable historical importance to the nation, containing wartime bunkers, gun emplacements, tunnels, and apparently significant pre-historic sites'.⁸⁶ The Committee also noted Paga Hill's role in Port Moresby as a 'vital recreational area'.⁸⁷

The Committee subsequently found that:

'This land was a Gazetted National Park and could not be granted away to private hands. How the land came to be given to private speculators is a good illustration of the failings and corrupt conduct of the Department of Lands and Physical Planning'.⁸⁸

'The State, in general, and the Department of Lands and Physical Planning in particular allowed and co-operated in the taking of this National Park from the citizens of Papua New Guinea by profiteers who, subsequent events showed, had no capacity to develop the land at all'.⁸⁹

The Committee noted that the inquiry 'was seriously impeded by the [Lands] Departmental failure to produce any records or documents at all concerning the issue of the original [urban development lease] or a subsequent lease – despite a notice and summons to do so'.⁹⁰

The Committee found that PHLHC's 'failure to comply with urban development lease covenants, particularly the Improvement Covenant, should have resulted in the Department forfeiting the lease – or at the least, not issuing a Business Lease. More properly, the Department of Lands should have cancelled the Lease years ago on the basis that it was unlawfully issued'.⁹¹

The Committee found that there was a 'complete and inexplicable failure of the Department to ensure that even the most basic legal requirements were either imposed or met and this resulted in a total failure to protect State Land and public assets'.⁹²

In addition, the Committee found that PHDC's rent due for the lease was altered by handwritten notation from K250,000 to K50,000 per year, which meant that 'with the active collusion of the Department, the State has lost a minimum of approximately K900,000

from 2000 until 2005'.⁹³ Even at the reduced amount, land rent owed by PHDC to the State was K237,000 (approximately AUD\$107,189) in arrears in 2006.⁹⁴ The Committee noted that, in 2002, 'as if these illegalities were not enough, the then Minister for Lands agreed to a request from the principal of Paga Hill Development Company Limited, to waive all past and future rentals until January 2006'.⁹⁵ This waiver was appropriately refused by the Department.⁹⁶

The Committee found that the State had been deprived of rental payments 'by the illegal expedient of retrospectively changing the Lease condition and by the failure of the Department to recover the land either by forfeiture or by cancellation of the Lease.' The Committee stated that losses to the state amounted to at least K3 million (more than AUD\$1.35 million), but could be far higher, based on the fact that PHDC sought to sell 50 per cent of its shares in 2005 to a Western Province Landowner Company for K27 million (more than AUD\$12.2 million).⁹⁷

The Committee recommended that 'the Government immediately cancel all State leases identified as unlawfully granted'⁹⁸ and 'take immediate action to recover Portion 1597 - Paga Hill and declare and preserve that land as National Park'.⁹⁹

Despite the Committee's findings in 2006, PHDC was granted a new Business (Commercial) Lease over Paga Hill in 2009.¹⁰⁰

Mr Fridriksson, CEO of PHDC, claimed in *The Australian* that he and his business associates strongly rejected the claims by the Public Accounts Committee, and sought legal advice, which they presented to the Committee two years after their findings. Mr Fridriksson claimed that PHDC was subsequently given a letter from the then-Chairman of the Committee, indicating that all matters were 'in order' and advising the company to go ahead with its development plans.¹⁰¹

The issue then turns to the reclaimed land at the seafront.

The issue of the reclaimed land and whether the community living there could be evicted came before the courts, with the community ultimately being successful on 1 July 2014, in the case of *Moses v Paga Hill Development Company (PNG) Limited* [2014] PGSC 18,¹⁰² where it was found that

the reclaimed land fell outside Portion 1597.¹⁰³ As a result, the eviction order did not apply to people living in this area. However, this decision had essentially 'been nullified before it was delivered'.¹⁰⁴

During 2013, PHDC had already been making attempts to acquire this seafront land. The land was subsequently surveyed by the Lands Department and registered as Portion 3149 in July 2013.¹⁰⁵ The International State Crime Initiative identified that in the midst of litigation, Andayap No. 5 Ltd, a company that was wholly owned by PHDC,¹⁰⁶ was granted a special purpose lease on 4 June 2014.¹⁰⁷ A search of the Investment Promotion Authority's records lists the directors of Andayap No. 5 Ltd¹⁰⁸ as also being currently listed as directors of PHDC.¹⁰⁹ It appears that 'neither the settlement residents nor the courts were apparently made aware of these efforts' by PHDC to acquire the seafront land.¹¹⁰ In effect, 'settlement residents could now be evicted by PHDC, who had state title over the land through its subsidiary'.¹¹¹

Adding to the community's challenges at this time, the National Capital District Commission (NCDC), Port Moresby's city council, 'was spearheading the construction of a ring road which was set to pass through the reclaimed land at Paga Hill'.¹¹² This project was subsequently contracted to Curtain Bros,¹¹³ reportedly via an open tender process.¹¹⁴

PHDC had previously claimed that Paga Hill was 'blighted with squatters and illegal uses'.¹¹⁵ As far back as 1998, PHDC claimed that Paga Hill 'currently houses a number of people, some legally, most illegally, who have been allowed to occupy the site through the inaction of the authorities charged with housing and management of the settlements'.¹¹⁶

PHDC made claims about the Paga Hill community in *The Australian*:

'There are just squatters and settlers and criminals hanging out there. They are illegal dwellings on somebody else's land. Sure there are a handful of people here who have been here from the 1960s, but there would not be more than three houses there that qualify as a house. It is just rocks on top of corrugated iron held down by nails. It's like Rio de Janeiro or Manila.'¹¹⁷

4 | DEMOLITION AND EVICTIONS



Over one quarter the houses were bulldozed in the first demolition while police fired live ammunition over the heads of the Paga Hill community. Video still from *The Opposition* film

“ The police came and threatened my children with guns and chased them out of the house. It was so frightening. They used the machine to crush our house down to the ground and then they bulldozed it. There was no chance of me saving anything in the house.

JOE, 49 YEARS OLD, LIVING WITH HIS WIFE AND TWO CHILDREN

The demolitions and evictions of the Paga Hill community occurred over a period of two and a half years, with demolitions occurring on or around 12 May 2012, 22 July 2014, 12 to 14 August 2014 and 14 October 2014.

4.1 THE LEAD UP TO THE FIRST DEMOLITION

The exact sequence of events leading up to the first major eviction on 12 May 2012 is not clear.¹¹⁸

In February 2012, the District Court made orders that provided for the removal of settlers within 30 days with tiered compensation, depending on whether the dwellings were permanent houses, semi-permanent houses or other dwellings.¹¹⁹ The tiered compensation payments apportioned K10,000 (approximately \$AUD 4,522) to owners of permanent houses, and K5,000 (\$AUD 2,261) for semi-permanent houses and K2,000 for other dwellings (approximately \$AUD 904).¹²⁰ These amounts, however, were substantially lower than the true value of the community's homes.

Community members later obtained an independent property valuation report which valued 40 homes at Paga Hill. The report certified an average home was valued at K32,972.32 (approximately AUD\$14,912), and that the collective market value of these 40 homes, including whitegoods, was assessed at K1,365,670 (approximately AUD\$617,658).¹²¹

A number of offers were made to the community to move to Six Mile in early 2012. People came to Paga Hill, offering K10,000 (approximately \$AUD 4,522) to people who would move from Paga Hill.¹²² Community members report that a very small number of people out of the population of 3,000 took up this offer, and moved to Six Mile in May, June and July 2012. The vast majority of the community stayed on and continued to resist.¹²³

The International State Crime Initiative has previously identified that during April 2012, a representative of PHDC 'went to Paga Hill accompanied by police, police dogs and private security'.¹²⁴ He gave the residents three options, which were offered on a per household basis:

- **Option 1** – They could dismantle their houses and relocate to the area of Six Mile to reconstruct. People would be provided

with a K2,000 hardship allowance (approximately \$AUD 904), a tent and a mosquito net. PHDC claimed it had purchased land for the community, and promised that titles to individual parcels of land would be given to households;

- **Option 2** – Find their own land, and PHDC would compensate them at a rate of K10,000 (approximately AUD \$ 4,522) for permanent houses; K5,000 (approximately AUD \$2,261) for semi-permanent houses and K2,000 (AUD \$904) for shanties and bunkers; or
- **Option 3** – be evicted by police.¹²⁵

It was made clear that if people moved to Six Mile, they would be given a portion of land to live on, electricity and water, and that they would be given titles to the land: 'that was the promise given to them by the company,' community members say.

However, these options were not as they appeared.

Assessing Option 1; while PHDC promised to provide title at Six Mile, at the time that the offer was made 'there was no evidence that the community had secure title over the land at Six Mile'.¹²⁶ The area at Six Mile was customarily owned, and no steps had been taken to register that land and issue formal leasehold title. 'Instead, an agreement with a member of the landowner community had been reached. As a result, no household would be issued with registered title, as had been claimed. Any resident who chose to relocate would face insecurity of tenure, in an area where they possessed none of the community links enjoyed at Paga Hill'.¹²⁷ Six Mile also did not have running water, electricity or sanitation systems.

The fact that the promise of title was not fulfilled at Six Mile would become an ongoing problem, and continues to be an important and unsolved issue.

Option 2 offered amounts that were 'well below' their market value, including well below 'the price homes at Paga Hill were fetching in the informal housing market, which is a critical part of the capital's urban economy'.¹²⁸ The community later obtained an independent property valuation report that assessed that most of the 2 bedroom homes at Paga Hill were worth between K30,000 (approximately AUD \$13,568) to K50,000 (AUD\$ 22,613), with some larger dwellings being worth more.¹²⁹

Over time, community leaders say, PHDC's offers to residents continued to decrease, including the amount of Kina they would be given; those who left first subsequently ended up with more than those who left later.¹³⁰

In April 2012, community members say that a representative of PHDC provided a single letter to the leaders of the community. Copies were not provided to everyone; and the notice was not placed on walls of the community. The letter, 'Final notice to vacate', was typed all in capitals, and stated:

'WE HAD MANY CONSULTATIONS AND NOTICES FOR YOU TO VACATE THIS AREA PEACEFULLY TO THE LAND WE HAVE BOUGHT FOR YOU AT SIX MILE.

THE SPECIFIC TIME GIVEN IN THE BEGINNING OF THIS YEAR WAS ONE MONTH AND THAT LAPSED ON 16 MARCH 2012. IT IS MORE THAN TWO MONTHS NOW AND ONLY THREE PEOPLE HAVE MOVED OUT OF THE SITE AND REST OF YOU HAVE DECIDED TO IGNORE OUR NOTICES.

OUR AIM WAS TO MAKE SURE YOU RELOCATE PEACEFULLY BUT YOU HAVE IGNORED. WE WILL NOT TOLERATE ANY MORE EXCUSES FROM YOU.

THIS IS OUR FINAL NOTICE TO YOU ALL. YOU MUST MOVE OUT BY WEDNESDAY 18 APRIL 2012. IF YOU FAIL, WE WILL ASK THE POLICE TO REMOVE YOU FROM OUR LAND.

WE WILL NOT BE RESPONSIBLE FOR ANY DAMAGE OR LOSS DONE TO YOUR HOUSE, CAR OR ANYTHING YOU DO NOT REMOVE BY 18 APRIL 2012. TO AVOID EVICTION, YOU MUST REMOVE YOUR HOUSE, CAR ETC NOW.

YOU MOVE YOURSELF OR FACE EVICTION. DEADLINE IS 18 APRIL 2012.

THANK YOU,

BY MANAGEMENT

PAGA HILL DEVELOPMENT COMPANY (PNG) LIMITED.¹³¹

On 2 May 2012, the community heard of a district court decision to grant PHDC an eviction order,¹³² and immediately organised legal action to try to stay the eviction order.

On 11 May 2012, in the District Court, the community argued that there was not enough notice given before they would face eviction 7 days later, on 18 May. They also argued that the eviction order was not signed by a judge, but by a District Court clerk. The District Court upheld the original order, finding in favour of PHDC. The community subsequently appealed to the National Court, and were given a special hearing on 12 May 2012.

On 12 May 2012, community leader and anthropologist, Mr Joe Moses, attended the National Court to appeal the District Court decision. The National Court granted an injunction preventing the eviction so that the appeal could be heard.

4.2 THE FIRST DEMOLITION: 12 MAY 2012

On the same day that community members were before the National Court, the first demolition of Paga Hill residents was undertaken.

It was a Saturday, Mother's Day, and people were in church.

During 9.00 or 10.00 in the morning, witnesses state that 10 Land Cruisers of the Police Task Unit arrived, with approximately 100 police, armed with 'assault rifles, machetes and sticks.'¹³³ The physical demolition was carried out by two bulldozers and a large excavator supplied by L&A Construction; community members later claimed that the excavation equipment was hired by PHDC.¹³⁴

'Policemen were organised from Gordons, Hohola, Boroko, Gerehu, Waigani – all of the suburbs, about five policemen from each of the suburbs, totalling around 100 policemen. They all came in ten vehicles – ten policemen each to one vehicle – all of them fully armed.'¹³⁵

Police officers fired live ammunition just over the heads of residents. People dispersed, with no opportunity to grab their possessions before bulldozers began to bulldoze people's homes. People watched, crying and traumatised, as their homes were destroyed.

The first home to be destroyed belonged to Mr Joe Moses, who was attending the National Court that day to appeal the District Court decision. 'I lost everything,' he says. 'I lost two dogs, two fridges, a TV set, two [diesel] generators... My books were all over the place, everything was just destroyed.'¹³⁶

Mr Moses lived with his children, aged 14 and 12.

'The police came and threatened my children with guns and chased them out of the house,' he said. 'It was so frightening. They used the machine to crush our house down to the ground and then they bulldozed it. There was no chance of me saving anything in the house.'¹³⁷

'Once Joe's home was demolished, the excavator turned to his neighbours' properties, even though they lay outside the perimeter of Portion 1597.'¹³⁸

Several young men from the community were badly beaten by officers. Residents who resisted or who took photos of the forced eviction were attacked by police officers, who pushed, kicked, punched, and hit residents with sticks/bars and cut residents with machetes.¹³⁹

Homes were bulldozed without community members being allowed to remove their possessions.¹⁴⁰

Trade stores and personal effects were destroyed, along with dinghies, bedding, clothes, utensils, carpentry tools, fridges, furniture, gas burners, TV antennae, televisions and DVD players¹⁴¹ and medications.

When the excavation equipment could not reach an area, officers forced community members at gunpoint to dismantle their houses.

Footage of the forced eviction was captured in 'The Opposition', an independent documentary film directed by Hollie Fifer and produced by Media Stockade.¹⁴²

The demolitions became delayed, when a young girl, Esther,¹⁴³ locked herself into her house and said that they would have to kill her if they wanted to demolish her home. The demolitions were stopped only when community representatives returned with a copy of the National Court's order granting the injunction.

It is estimated that the homes of 350 people were destroyed, leaving them homeless.¹⁴⁴

'It then started raining, some mighty rain, and it came down and just soaked everything,' Mr Moses said. 'It was now also dark. Newly homeless, 20 families took shelter in the church.'¹⁴⁵

After the eviction, 'local human rights activists witnessed displaced families sleeping under lean-tos constructed out of debris, while others took shelter using tarpaulins. Children left homeless were observed studying by candlelight, exposed to the elements.'¹⁴⁶

The demolitions also significantly damaged connections to the water mains and electricity. After the demolition, lower Paga only had one tap to access water.¹⁴⁷

Following the eviction, Mr Moses submitted a case at the National Court, arguing that the Paga Hill community along the reclaimed seafront land lived outside of the land known as 'Portion 1597', over which PHDC had obtained a 99-year business lease.

Community members say that right after the first demolition, representatives of PHDC came and organised a meeting, telling people that they had organised a big block of land at Six Mile that people could move to where they would be given land title. Community members say that PHDC said that they would give people K1,000 (approximately AUD\$452) to move to Six Mile. This figure was allegedly to cover the cost of nails. It was a figure that was significantly low.

PHDC continued to deny any active role in the demolition of May 2012. On its website, the company stated:

'whilst the PNG Police's execution of court-issued eviction orders in May 2012 was done in a way not unfamiliar in PNG, these events were not within our control.'¹⁴⁸

While this may be true, there is no doubt that the demolition and subsequent evictions were carried out as a result of a court order sought by PHDC.

Community members say that after the first demolition, Gerehu was raised as another option for the community to live by NCDC. Community members say that they were told that they would receive land title and basic services at Gerehu if they relocated there.

The community continued to resist, engaging lawyers and in creative advocacy, doing everything in their power in order that they would be able to stay at Paga Hill.

4.3 LEAD UP TO THE SECOND DEMOLITION

During 2013, the reclaimed seafront land that fell outside Portion 1597 at Paga Hill was secretly surveyed and registered in July 2013 as Portion 3149.¹⁴⁹

The local council of Port Moresby, the National Capital District Commission (NCDC), contracted PNG registered company Curtain Bros, which has significant ties to Australia, to construct a ring road at Paga Hill, via a tender process.

Community members say that in 2012, Curtain Bros had a meeting with leaders from the Paga Hill community to look at the engineering details of the proposed four-lane Paga ring road. Community members allege that at this meeting, senior representatives

of Curtain Bros confirmed to the community representatives that Curtain Bros would build the road outside the Paga Hill seafront community. Curtain Bros asserts that this was not the case as an alternative road design was almost impossible.

However, community members say that these plans subsequently changed without community participation or consent, and a new path for the ring road was planned to go directly through the seafront community.¹⁵⁰

After the demolition, in late 2013 or early 2014, the NCDC went to the Paga Hill community, telling the community that individual families would be given individual titles to the land that was allocated to them on the outskirts at Gerehu, a large suburb of potentially 50,000 people located about 16 kilometres from Paga Hill. NCDC also said that they would provide basic services such as water and power, if the community moved to Gerehu.¹⁵¹ If households chose to relocate, the housing materials already damaged by demolition could be transported by truck to the site by Curtain Bros. People were also offered K1,000 (approximately AUD\$452) allegedly so that people could purchase nails to rebuild.

On 29 January 2014, the case in relation to the reclaimed seafront land was heard in the National Court of Justice. The court found in favour of PHDC, finding that the community had been aware that they needed to vacate the land for 2 years, and that they would be required to vacate from Paga Hill within 45 days.¹⁵²

On 27 February 2014, days before they would be required to vacate, community members, Mr Joe Moses, Mr Maiga Ma'Arū and Mr Tony Illave sought to appeal the decision of the National Court, in the Supreme Court.

On 1 July 2014, the Supreme Court ruled in favour of the Paga Hill settlers, and found that the reclaimed seafront area was outside of Portion 1597 and therefore outside of the PHDC's state lease.¹⁵³ This meant that the people living on the reclaimed seafront area would not be required to leave Paga Hill. The Supreme Court ordered PHDC to pay the community's court costs.

However, throughout proceedings, the Supreme Court was seemingly unaware that PHDC was in process of obtaining title over the land - the land in question had been surveyed and registered as Portion 3197, and

Andayap No.5 Ltd¹⁵⁴ had been granted a lease over the reclaimed seafront land on 4 June 2014.¹⁵⁵

By now, the first group of people had been moved out of Paga Hill. Over the weekend starting 31 May 2014, this group of approximately 400 people were relocated by police officers and PHDC employees, and relocated to Six Mile.¹⁵⁶

PHDC describes that it 'provided vehicles and approximately 20 staff at Paga Hill each day, assisting with the dismantling of informal dwellings and their relocation to Tagua'.¹⁵⁷

One of the people evicted said 'it's [a] scary scenario when you are not given enough time to prepare your house-hold stuff with policemen with their guns ... the developer hired certain ethnic group of people with no civilised mindset clearing the land'.¹⁵⁸

One resident of Paga Hill spoke about what they saw:

'Today is not like before, the developers are with weapons, like long bush knives and axes, people are already scared about them. Right now we are planning to move to somewhere. We are trying to take some pictures but its not allowed, they said 'if we see anyone taking picture we'll cut them with knives'¹⁵⁹

4.4 THE SECOND DEMOLITION: 22 JULY 2014

Without warning, on 22 July 2014, a demolition took place 'along the harbour foreshore, in violation of the court order'.¹⁶⁰

Community members reported that over 20 houses were demolished on the reclaimed land, leaving hundreds of people homeless.¹⁶¹

The community's Seventh Day Adventist Church on the foreshore had been built by the community and was an important part of their life. Many people

had been taking refuge in the church as shelter, and others had built makeshifts around it.

Community members say that police approached residents at gunpoint and directed them to pull the church apart.

Community members say that after the 2014 demolitions, electricity no longer worked at Paga Hill.¹⁶²

The demolition was heavily criticised by retired Supreme Court Justice Mark Sevua in the national media:

'The demolition and destruction of the church and the settlers' shelters was carried out without any consideration of human dignity and the interest and welfare of the affected citizens. This is a blatant violation of the Constitution...

Up to today, some settlers are still residing on the reclaimed land under sun, wind and cold because they have nowhere to go. The destruction of their homes was done in haste and without affording them ample opportunity to relocate...

I also condemn the unlawful threats and violence by armed police who behaved as if they were above the law. They behaved like armed criminals.¹⁶³

PHDC maintained that it was not responsible for the demolition of the Seventh-Day Adventist Church or the settlement homes on reclaimed land.¹⁶⁴

Following the demolition, the International State Crime Initiative produced an open letter signed by leading human rights scholars and PNG non-government organisations, calling on the national government to launch an independent inquiry into the evictions at Paga Hill.¹⁶⁵

Community leaders say that at this stage, there were less than 1,000 people remaining at Paga Hill.¹⁶⁶

4.5 THE LAST DEMOLITIONS: AUGUST AND OCTOBER 2014

The last demolitions occurred in 2014. In mid-August 2014, the remainder of the homes left in Paga Hill within PHDC's lease were demolished.

The final demolition occurred in October 2014.

Community members say that by this stage, most of the historical war bunkers at Paga Hill had been destroyed. While previously there had been more than 20 war bunkers, approximately less than 5 remained, only one of which connected to the underground tunnels. This was contrary to PHDC's previous representations that it intended to integrate historical monuments into its Estate plans.¹⁶⁷

After the final house was bulldozed, community members say that the police set the materials on fire to ensure that they could not be rebuilt.

After the final demolition, there were under 1,000 people still living at Paga Hill. Many community members were forced to sleep on the beach or on the ground in the open for a few days or about a week after this occurred, as they had nowhere else to go. After this, community members say, police started chasing them away.¹⁶⁸ These interactions were violent, involving sticks and iron rods. Approximately 10 people were beaten, including mothers who stood up to the police.

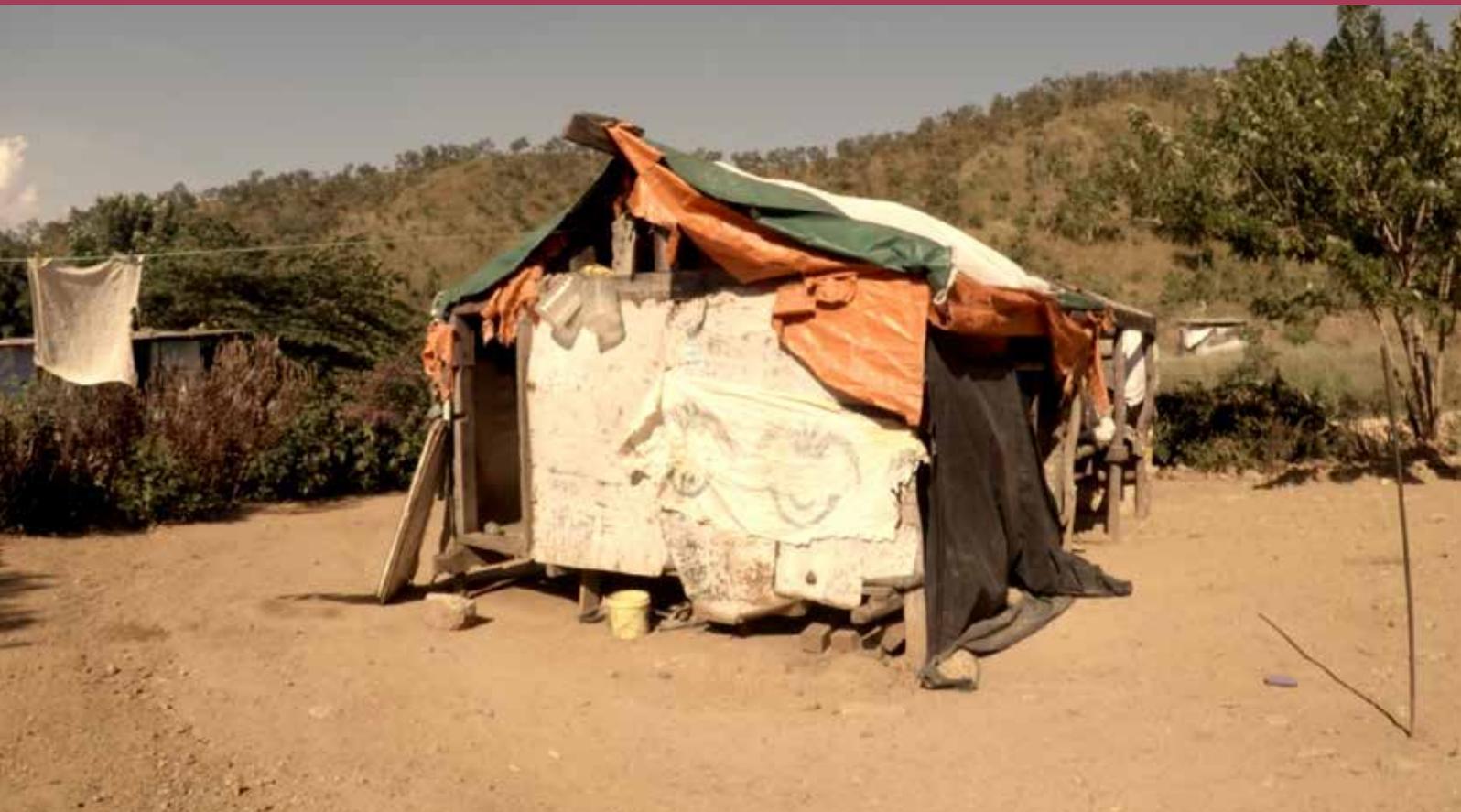
The people dispersed to various locations, with some living under buildings in downtown Port Moresby, and then dispersed again from there to relatives' homes or other areas. At this time, some people subsequently moved to Gerehu.¹⁶⁹

'Everything was gone.'¹⁷⁰ Community members say that these people were left with nothing.

The last demolitions at Paga Hill saw everything bent, crushed and then burnt. Photo: Allan Mogerema



5 | WHERE ARE THEY NOW?



A makeshift home in Gerehu where some of the Paga Hill community were relocated. Photo: Aid/Watch

My living conditions now are bad but I try to make a little heaven whenever I can. I sleep on the streets in town. I don't have basic services anymore. I don't eat good food, once in a while when I'm with family at Six Mile over the weekends. Security is a major concern because Police are now beating us up and destroying all our informal market goods.

JAMES, 25 YEARS OLD LIVING IN THE STREETS OF PORT MORESBY

In interviews with community leaders, it emerged that the approximately 3,000 residents of Paga Hill at the time of the evictions ended up in three groups.

Community leaders estimate that approximately 400 residents ended up at Six Mile; approximately 600 residents were relocated to Gerehu, and the remainder, approximately 2,000 people, did not receive any assistance.¹⁷¹

1. Approximately 400 residents, the majority of whom were from the National Housing Corporation homes and recent migrant groups, were relocated to a site at the Six Mile settlement. Six Mile is home to approximately 17,000 people, and located six miles from the heart of Port Moresby. These people were provided with no basic services, and given varying forms of meagre payment by PHDC. Despite being promised land title, they were given no security of tenure: no title, and no lease agreement.¹⁷²

2. Approximately 600 residents¹⁷³ were relocated to vacant land approximately 16 kilometres inland from Paga Hill. The land, which had no basic services, was located adjacent to Stage 7 at Gerehu, a large suburb of Port Moresby, home to potentially 50,000 people. Households were given approximately K1,000 to purchase nails, and home owners could arrange with Curtain Bros for the transportation of their housing materials (that had already been damaged during the demolitions) by truck to Gerehu. Despite being promised land title and basic services, these people were given no security of tenure and no basic services.¹⁷⁴

3. Approximately 2,000 people did not take up offers to resettle, and instead continued to advocate for their community, engaging in legal battles, creative arts mobilization and garnering international support. However, these individuals, who in many cases fought the hardest to save their community, ended up with the least. In the end, the vast majority of these people, received absolutely nothing at all.¹⁷⁵ Potentially half the former community – 1,500 people – were left homeless

with nowhere to go. The circumstances of this group vary and are difficult to document. Some left for their families' home provinces at their own cost, some had jobs and found accommodation, some moved in with families. Many others lived rough on the streets, under bridges and buildings near Ela Beach.

Based on these estimates, it is evident that at least two thirds of the former Paga Hill population were given little to no resettlement assistance.

It was estimated by the 190 community members interviewed in 2018 that they know of at least 91 people who have died since the evictions, some as a result of ill health, malnutrition, exposure and street violence. We expect that the real number is much higher.

This report explores people's experiences living at Six Mile, Gerehu, on the streets and other scattered locations around Port Moresby, and identifies that their basic needs are still not being appropriately met, years after the demolition of their homes and their eviction.

Our community partners surveyed 190 former residents of Paga Hill (which amounts to approximately 6 per cent of the community's former population) across these locations.

Of the people we interviewed, 15 were living within the Six Mile settlement, 112 were living at Gerehu and 31 were living on the streets. A further 32 people interviewed were living in other settlements and various locations around Port Moresby such as ATS, Erima, Gordons, Kone, Morata, Kaugere and Sabama and in varying states of housing, from shanty houses to living with family.

5.1 OVERALL RESULTS

Overall, there is a clear picture that people's access to basic services dropped dramatically since living at Paga Hill.

While living at Paga Hill, over 96 per cent of people interviewed reported that they had access to shelter, security, water, electricity, health, education for children and young people, church, food and nutrition.

When people were asked which of their basic needs were met at the locations in which they were living at time of interview, the only major needs being met were shelter (79 per cent) and access to a church (80 per cent).

TABLE 2 ACCESS TO BASIC SERVICES AT PAGA HILL AND WHEN INTERVIEWED

	Basic needs met when living at Paga Hill	% of basic needs met when living at Paga Hill	Basic needs met where people live now	% of basic needs met	Concerned regarding access when interviewed	% of people concerned regarding access
Shelter	189	99.5%	50	79%	n/a	n/a
Security	184	96.8%	9	5%	182	96%
Water	189	99.5%	70	37%	175	92%
Electricity	189	99.5%	21	11%	175	92%
Health	188	98.9%	39	21%	178	94%
Food and nutrition	189	99.5%	105	55%	166	87%
Sanitation	109	57.4%	11	6%	181	95%
Education for children	187	98.4%	77	41%	173	91%
Church	189	99.5%	152	80%	n/a	n/a
Total	190	-	190	-	190	-

TABLE 3 CONCERN REGARDING ACCESS TO BASIC SERVICES, BY LOCATION

Issue of concern	Six Mile	Gerehu	On the streets	Scattered locations	Total	Total % interviewed concerned
Water	15	112	29	19	175	92%
Electricity	15	112	26	22	175	92%
Health	14	109	30	25	178	94%
Food and nutrition	10	106	27	23	166	87%
Sanitation	14	111	31	25	181	95%
Education	12	111	28	22	173	91%
Total people interviewed	15	112	31	32	190	-

TABLE 4 EMPLOYMENT STATUS AT PAGA HILL AND WHEN INTERVIEWED

	When living at Paga Hill	% when living at Paga Hill	Employment status when interviewed	% when interviewed
Formally employed	50	26%	28	15%
Informally employed	64	34%	77	41%
'Unemployed/informally employed'	0	0%	2	2%
Student	44	23%	25	13%
Unemployed	32	17%	58	31%
Total	190	-	190	-

By contrast,

- Only 5 per cent of people interviewed felt that they were safe;
- Only 6 per cent of people interviewed felt they had access to appropriate sanitation;
- 11 per cent of people interviewed had access to electricity; and
- 37 per cent felt that they had access to water.

People interviewed were most concerned regarding security (96 per cent), access to sanitation (95 per cent) and health (94 per cent).

Concern regarding access to basic services

In total, the top four concerns regarding access to basic services among people interviewed were sanitation, health, water and electricity. (see Table 2)

- 95 per cent of people interviewed were concerned regarding sanitation;

TABLE 5 CONCERN REGARDING SECURITY

Location	Concerned regarding security	Total people interviewed	% Concerned regarding security
Six Mile	14	15	93%
Gerehu	111	112	99%
On the streets	29	31	93%
Scattered locations	28	32	88%
Total	182	190	96%

TABLE 6 CONCERN REGARDING FURTHER EVICTION

Location	Concerned regarding eviction	Total people interviewed	% Concerned regarding eviction
Six Mile	14	15	93%
Gerehu	43	112	38%
On the streets	31	31	100%
Scattered locations	29	32	90%
Total	117	190	61%

TABLE 7 PERCEIVED LIKELIHOOD OF INDIVIDUAL AND FAMILY BEING EVICTED AGAIN

Location	Yes	% Yes	No	% No	Unsure	% Unsure	Total
Six Mile	15	100%	0	0%	0	0%	15
Gerehu	45	40%	54	48%	13	12%	112
On the streets	31	100%	0	0%	0	0%	31
Scattered locations	31	97%	0	0%	1	3%	32
Total	122	64%	54	28%	14	7%	190

- 94 per cent of people interviewed were concerned regarding health;
- 92 per cent of people interviewed were concerned regarding access to water and electricity.

By location, people living: (see Table 3)

- At Six Mile were most concerned regarding access to water and electricity;
- At Gerehu were most concerned regarding access to water and electricity;
- On the streets were most concerned regarding sanitation;
- At other scattered locations around Port Moresby were concerned regarding health and sanitation.

Overall, people were least concerned regarding access to food and nutrition, yet 87 per cent of people interviewed were concerned.

Employment

Since living at Paga Hill, the number of people in formal employment appears to have almost halved, and the number of unemployed has increased. This has significant flow-on effects for people's ability to support their families, and to build and find alternative accommodation in Port Moresby. (see Table 4)

Concern regarding security

While living at Paga Hill, more than 96 per cent of people interviewed felt that security was a basic need that was met.

However, this contrasts strongly to when people interviewed, as the same percentage, 96 per cent, were concerned about security in the new locations in which they were living. (see Table 5)

Concern regarding further eviction

People who were living on the streets, Six Mile, and across scattered locations of Port Moresby, were almost unanimous in their concern about further eviction. Out of this group of 78 people, 74 people (a combined total of 94 per cent) were concerned about eviction.

By contrast, only 38 per cent of people interviewed at Gerehu were concerned about further eviction.

Due to the large number of people interviewed at Gerehu, this led to a significantly reduced overall

total of 61 per cent of people interviewed being concerned about further eviction. (see Table 6)

Likelihood of experiencing eviction again

People interviewed who were living at Six Mile, on the streets and throughout scattered locations were almost unanimous in their belief that it was likely that they and their families would be evicted again. Out of this group of 77 people, only 1 person was unsure whether this would occur.

By contrast, at Gerehu, only 40 per cent of people interviewed believed that it was likely that they and their families would be evicted again.

However, at Gerehu, a further 12 per cent of people interviewed were unsure, and 48 per cent believed that eviction was not likely. These close results indicate the confusion that the population of 8th Street, Gerehu, feels regarding the likelihood of their eviction.

These results indicate that former residents of Paga Hill are not enjoying the same level of access to their rights, and are not as secure, or safe, since their eviction. (see Table 7)

Deaths of former residents of Paga Hill community

48 per cent of all people interviewed (91 people) said that family members or close friends who lived at Paga Hill had died since the first demolition at Paga Hill in 2012.

25 per cent of all people interviewed (48 people) directly blamed the death of family or friends on the demolitions, evictions and relocation.

We now explore these issues in greater detail, analysed by location.

'I had access to water, electricity; that's all I need! I slept in a proper house with my family. We usually ate good food everyday. Our place was beautiful, peaceful and safe to move around any time of the day.'

REBEKAH, 56, NOW SLEEPS AT SIX MILE AND SPENDS DAYS SELLING ITEMS IN TOWN

‘We take our role very seriously, and we feel a great sense of responsibility to be a good corporate citizen, restoring the war relics or artifacts that are worth restoring, but totally committed to ensuring that the informal settlers are treated as an integral part of the project. We need to make sure we work together to assist them to build a better life.’

PHDC SPOKESPERSON¹⁷⁶

‘Some people were just dumped like this you see, they just sleep under this roof. No proper sides, no proper beds, no proper kitchen, running water or toilet... This is disgusting. If we go in there you will see...’

RESEARCHERS VISITING TAGUA, SIX MILE, JUNE 2018¹⁷⁷

5.2 TAGUA, SIX MILE

Six Mile is an informal settlement in the eastern part of Port Moresby, close to Jacksons International Airport, and approximately six miles from the heart of Port Moresby. Six Mile was previously a large rubbish dump.¹⁷⁸

Community leaders say that about 400 people from Paga Hill first began arriving at a site located at Six Mile in 2012. The majority of this group were allegedly from the National Housing Corporation homes and recent migrant groups.¹⁷⁹ These estimates would mean that approximately only 13 per cent of the Paga Hill community resettled at Six Mile.

Community members say that the relocation was organised by PHDC with help from the NCDC. The fam-

ilies who moved to Six Mile were promised land titles to the land and access to electricity and water.¹⁸⁰

5.2.1 PHDC’S CLAIMS REGARDING THE SETTLEMENT AT SIX MILE

In September 2014, the settlement at Six Mile was officially renamed ‘Tagua’, meaning ‘a place where people come, gather and stay together,’¹⁸¹ a name originally given by the Koitabu villagers.¹⁸² The following month, in October 2014, a handover ceremony occurred, where PHDC claims that it ‘assigned its rights over the 14 hectares of land to individual families who relocated from Paga Hill’.¹⁸³

PHDC has made numerous representations that the settlement of Paga Hill community members at Six Mile has been a resounding success. These claims have included the following:

- Living conditions were substantially improved for former Paga Hill residents;
- The allocation of land portions was successful;
- PHDC aimed to develop a village environment and implement infrastructure;
- Security of tenure was provided;
- Appropriate assistance was provided;
- The harmonious resettlement was an outstanding success; and
- The relocation was acclaimed by the United Nations.

Improved living conditions

PHDC has continued to assert that the living conditions of the people living at Six Mile are substantially higher than what they were at Paga Hill.

The Australian reported in October 2012 that ‘the people who had taken up [PHDC’s] offer were satisfied with their new homes. ‘They are as happy as hippos,’ said a PHDC spokesperson in October 2012 in comments to *The Australian*.¹⁸⁴

On its website in 2017, PHDC claimed that ‘conditions at Six Mile have greatly improved the living standards of families resettled from Paga Hill. Settlers living at Paga Hill did not have legal household tenure to the land they occupied and had minimal access to electricity and water and sanitation facilities. The majority of dwellings at Paga Hill comprised of scavenged building materials including timber off cuts and corrugated iron.’¹⁸⁵

Allocation of land

PHDC has publicly made representations that land would be apportioned and allocation to former Paga Hill residents at Six Mile.

A former director of PHDC spoke to ABC News in October 2012, and asserted that 'in an "unprecedented move," land to relocate the Paga Hill residents had been secured at Six Mile, and ... each household would receive a block of 300 square metres.'¹⁸⁶

On its website in 2017, PHDC asserted that, 'most importantly, PHDC has delivered on its commitment in providing households with tenure over a block of land they can now call their own, within a master-planned and community-centric village, sustaining the lives of generations to come.'¹⁸⁷

Aim to develop village environment and implement infrastructure

PHDC has made representations that a village environment would be developed at Six Mile, including infrastructure, allocated plots of land, and market and garden areas.

PHDC stated that it 'acquired the 14 hectares of land, undertook a master planned approach to preparing what is to become a village-like community, implemented key infrastructure, allocated plots, provided education support to residents, as well as facilitated the establishment of self-determining governance, all the while tackling and overcoming legislative and regulatory obstacles along the way.'¹⁸⁸

In October 2012, a former director of PHDC was quoted in the *PNG Post-Courier*, stating that PHDC remained absolutely committed to the vision of achieving a village environment at the Six Mile site, preparing it with roads, a village square, market and garden areas. He said this was to provide the settlers with an opportunity to lose the "illegal" stigma and look forward to a positive new life, as well as the chance to become landowners and have an opportunity to establish an asset base for their families.'¹⁸⁹

It appears that PHDC continued to be involved in the community through to 2016. On its website in 2017, PHDC noted that 'while the resettlement exercise is now complete, and the land at Tagua formally handed over to the resettled households, PHDC remains involved with the community through its support of the locally elected governance body, the Tagua Community Development Committee through to 2016.'¹⁹⁰

Land tenure

PHDC has made representations that the former residents of Paga Hill would have the opportunity to become 'landowners' and that they were given secure tenure over their own parcel of land.

A former director of PHDC emphasised in the *PNG Post Courier* in 2012 that:

'This has never been done anywhere in Papua New Guinea before, and PHDC should be commended for having gone out of its way to relocate the illegal squatters. We could not just throw them out in the cold. They are now much better off than they were on Paga Hill. They have the opportunity of a plot of land with their own name to it. PHDC is a company whose major shareholders are Papua New Guineans, and we care for this country and its people.'¹⁹¹

PHDC stated on its website that:

'Despite a difficult process, with long and costly delays due to a succession of legal challenges, we achieved the best possible outcome within the legislative and regulatory framework at the time. The settlers we relocated were given secure tenure over their own parcel of land, which some have since sold.'¹⁹²

PHDC stated that 'each family was allocated a block of land at Tagua community secured by a land use agreement.'¹⁹³

PHDC explained that the reason for this was 'there is no process for converting customary land to state leasehold, which is what led to us utilising Land Use Agreements to confer ownership to resettled families. Also, communities like the relocated settlers at Tagua remain formally unrecognised by government frameworks and regulations.'¹⁹⁴

Resettlement assistance

PHDC has made representations that it provided appropriate assistance for former residents of Paga Hill to relocate to Six Mile.

In comments to *The Australian* in October 2012, PHDC insisted that it 'consulted widely with settlers and obtained the consent of elders and recognized community representatives to obtain the eviction order'. Mr Fridriksson elaborated: 'We knocked on

every single door in the settlement. We have spent \$2 million on just the settlement issue.^{'195}

PHDC stated on its website that:

'Given the prevalent issues of land scarcity and unaffordability, we took it upon ourselves to acquire land for the settlers to relocate to, providing financial, logistic and other assistance to facilitate the move...'¹⁹⁶

PHDC also stated that:

'Following extensive communication with the settlement community and in addition to providing cash assistance to relocating households, PHDC provided manpower and logistical support to dismantle and relocate housing materials as well as temporary housing at Tagua (formerly known as Six Mile Village).'¹⁹⁷

"An outstanding success"

PHDC has claimed that its resettlement of the former residents of Paga Hill as 'the best possible outcome within the legislative and regulatory framework at the time.'¹⁹⁸

In May 2017, PHDC asserted that, 'in a first for Papua New Guinea, PHDC has delivered a comprehensive relocation solution for the on-site informal settlement community. In contrast to the forced evictions that regularly take place across PNG, PHDC has achieved a harmonious resettlement to a donated site that makes for transformative life outcomes for the residents.'¹⁹⁹

PHDC stated that it has 'extended offers to collaborate with Amnesty International, United Nations and FHI360 [a non-profit development agency] to overcome urbanisation challenges and learn from our experience, but none have taken up the offer.'²⁰⁰

PHDC opines: 'we sincerely hope that the lessons learned from the relocation of the Paga Hill settlers will benefit the broader urbanisation process in Papua New Guinea.'²⁰¹

"Acclaimed by United Nations"

PHDC claimed on its website that it achieved a 'harmonious resettlement' of people at Six Mile, and that its relocation package received 'United Nations acclaim.'²⁰²

This is despite the then-United Nations resident Coordinator for Papua New Guinea, Mr Roy

Trivedy, stating in Australian media that he 'attended one meeting where he was impressed with written plans for the resettlement but has not been involved in anything to do with Paga Hill since. "I've asked the company to stop using my name to endorse something I haven't seen".'²⁰³

Assessing PHDC's claims

Despite claiming that the relocation was 'the best possible outcome', PHDC has asserted on its website that:

'there is much to be learned from the current state of the relocation site; despite being handed over in October 2014 to UN acclaim, we believe that many of the former settlers have failed to meaningfully move on with their lives, or at least have failed to build on their donated land. We believe this has something to do with frequent calls to action for compensation, with the former settlers being led to believe an imminent windfall is in order.'²⁰⁴

In this statement, PHDC appears to recognise that the 'current state' of the relocation site reflects a failure in the community to 'move on' and to 'build'. This is the only public comment by PHDC that begins to recognise the physical reality and poor living conditions for the people living at Six Mile. While PHDC blames this on people failing to 'meaningfully move on', the evidence provided by former Paga Hill residents suggests otherwise.

PHDC's claims regarding improved living conditions contrast deeply with the statements of people living at Tagua, Six Mile.

We interviewed only two people living at Tagua, due to security concerns.

Water at Tagua

'We have access to one running tap water and usually the whole community queue up to fetch water, sometimes the water doesn't come and sometimes we wait long hours to fetch just a container of water,' said Jasmina, who was living at Tagua.

When water runs out, which happens frequently, community members at Tagua catch a bus to the nearest local town, Six Mile Market, which is one mile away, to access water for drinking and cooking. Alternatively, residents can walk to the nearest community, Six Mile Dump (24), which is one and a half kilometres away from Tagua, where they have



In 2017 Paga Hill community members relocated to Tagua lived in makeshift accommodation like these tents, the conditions were hot, dark, dusty and cramped. Video still: Allan Mogerema

to pay to access water for drinking and cooking.²⁰⁵

Shelter at Tagua

In 2017, people lived communally in temporary accommodation in tents and strung up pieces of fabric under a steel shed-type roof or makeshift accommodation, until such time as they could afford to pay rent to local landowners under land use agreements. They had little privacy and conditions were hot, dark, dusty and cramped. As at time of writing, nothing has happened in the 8 years' since families' relocation to begin the process of providing the people with increased security of tenure.

People described their shelter at Tagua: 'I don't have a proper shelter so I leave my wife/kid to sleep inside the tent while I sleep outside.' 'Now I live in a

tent under a big shed, a lot of people are also living here.'

Access to basic needs at Tagua

PHDC did not develop a village environment and did not implement infrastructure. PHDC did not establish or fund any basic services, such as power, water or sanitation in the two years prior to the site's official 'handover' to the community at a ceremony in 2014,²⁰⁶ nor, according to the testimony of people we have interviewed, in the years' since.

People described that they didn't have access to basic needs at Tagua, in stark contrast to their experience at Paga Hill.

'We don't have access to health, school, electricity, we eat nutritional food once in a

while unlike in Paga. Life's really hard living out of Paga,' said Jasmina.

'I don't have access to electricity, education for my kid, church, etc. Life's fucked up outside of Paga,' said Andrew.

This is in stark contrast to Andrew's previous life at Paga Hill: 'My living condition in Paga was very good, I went fishing and when I came back I would sell them at our local market to earn extra Kina. My family ate the best fish and healthy meals, I had access to electricity, water, a house, and our family was strong.'

Education

Access to school was raised as challenging. The nearest school, Holy Rosary Primary School, is located approximately 1.5 miles away from Tagua, and people get there by bus. 'I don't have education for my kid,' said Andrew.

Tenure

In contrast to PHDC's claims regarding successful allocation of land and landownership, our researchers identified in 2017 that people did not have secure tenure to the land at Six Mile.

Assistance provided

Appropriate assistance was not provided during the relocation. The 'extensive communication' and 'cash assistance' likely relates to households taking up PHDC's 'Option 1' offer of a tent, mosquito nets and a one-off payment of K2,000 (approximately AUD\$904) to move to Six Mile in the absence of other options.

'I would like to see my people and families in Paga get compensation for the demolition of their houses,' said Andrew.

PHDC's further claims regarding the success and acclaim of the resettlement at Six Mile continue to be baseless.

While PHDC claims to have 'achieved a harmonious resettlement...that makes for transformative life outcomes for the residents'²⁰⁷, it is clear that people living at Six Mile, including at Tagua, have lacked access to basic services for a number of years.

It is important to note that PHDC does not claim to have resettled the entire Paga Hill community. PHDC's website formerly noted that PHDC assisted

in the relocation of settlers 'living above the line of the to-be ring road around Paga Hill'.²⁰⁸

One member of the Paga Hill community described the conditions at Tagua, Six Mile:

'The living conditions – they sleep together in a tiny kind of warehouse. Underneath there they have tents for the residents there. It's very dusty - there's dust everywhere. They don't have walls, right, so they use tarpaulins and very soft materials like cotton materials, and they just build walls. It's like living in the open air.

It's not conducive to human inhabitants. It's not a good environment to actually sleep or live there.

The toilets are fucked up, stinky...

There is one tap. The water is fine, at least they get a bit of clean water, but the water pressure is very low, people queue up like crazy just to get 20 litres of water – 30 minutes or an hour depending on when individuals line up.

When the rain comes, it goes directly in under the walls and destroys all the bedding and all their clothes and stuff. Residents use tools to dig out drains on the side to collect water and direct it out. It's very muddy when it rains.

The road is on the side next to this particular area, there's the commotion of vehicles, and they blow the dust under their roof – it's very dusty and makes people sick and cough a lot. In fact a couple of people passed away living in Six Mile. People have got sick with lifestyle diseases at Six Mile – malaria, TB and other sicknesses. They didn't suffer from these sicknesses at Paga.'



Toilets at Tagua, Six Mile. There was no basic power, water or sanitation services for the Paga Hill community members who were moved there. Video still: Allan Mogerema

5.3 SIX MILE SETTLEMENT

The settlement of Six Mile is home to approximately 17,000 people. We interviewed 15 people living within the settlement. This included 2 people living within the PHDC-established Tagua community of Six Mile, 8 people from Manuti, 2 people from Dogura, 1 from 'Japanese camp, Six Mile', and one person who simply described their location as 'Six Mile'. 4 men were interviewed, 10 women and one 17-year-old boy. People ranged in age from 17 to 57 years, with an average age of 37.

Water

People interviewed were unanimous in their concern about the lack of access to water. Community members described there being no proper drinking water, queuing for water, water running out, waiting hours to access water, travelling by bus to gain access to water for cooking and drinking, paying the neighbour for access, walking long distances to fetch water for washing, or travelling a mile to get water.

Community members stated that it was expensive to continually pay bus fees in order to access water. 'I have to walk to my neighbour's house and pay to fetch water, most times there's no water so we travel a mile to fetch water at Six Mile,' said 56-year-old Rebekah. Some residents stated that they paid K2 to fetch water everyday.

Obtaining water for washing at Six Mile is also difficult. A 37-year-old widow with 2 children, Margaret, stated that she washed in a small creek

that runs down where she lives, but a lot of people use it. A 57-year-old woman, Isabella, stated that she walked a long distance to fetch water for washing, but travelled by bus to fetch water for cooking and drinking.

17-year-old Cameron said, 'Now we don't have access to clean drinking water, power, we catch bus to fetch water and do other stuff, it's expensive and life is difficult for us. There's too much expenses being spent on the bus fee to bring water home.'

Electricity

All of the 15 people surveyed were concerned by the lack of access to electricity. 33-year-old William said: 'I want things to change to the conditions I experienced in Paga before the demolition. We need access to safe drinking water and electricity and health care.' 21-year-old Ana, who lives with her child and husband, said, 'We don't have power now, no water, no proper house.'

Shelter

People were also concerned about inadequate shelter. Some people described sleeping outside so their wife and children could sleep under shelter, living in a tent under a big shed, and 'a lot of people living here'. Many people described that they did not have 'proper shelter', a 'proper house' or a 'good home'. Arthur, 56, commented 'I'm just living under canvases'.

Alinda, a 57-year-old woman, was also concerned about shelter. 'Sadly I don't have a shelter in Six Mile

but I sleep with some family, I don't have access to basic services anymore, I don't eat properly, life is very bad outside Paga.'

Sanitation

14 of the 15 people surveyed were concerned by the lack of access to sanitation. 56-year-old Arthur, married with 5 children, used to rent rooms to people. Now, he says, 'I have a pit toilet for waste.'

Health

14 of the 15 people interviewed were concerned about health living at Six Mile. Many raised the distance from the hospital: 'very far', 'no health services', and the health centre is 'a mile away'. 'We need access to health care,' said Matthias, 27.

Lack of safety and security

14 of the 15 people were specifically concerned by the lack of safety. 'Security is a concern now,' said 21-year-old mother of one, Ana. 'Security is a concern for our women folks here,' said. Others described security as 'a big problem where I am', 'a concern now where we live', and a 'safety risk'.

'We need a proper community hall and police presence to ensure law and order,' said 27-year-old Matthias.

Many referred to their lives in Paga, where they did not need to worry about security: it was 'always safe'. 'Our safety was excellent as our bros and fathers looked after us and the place is safe'. 57-year-old Isabella liked 'the fact our women could walk around freely'.

Education

12 of the 15 people surveyed were concerned about lack of access to education for children and youth. Others stated that they didn't have any money to send kids to school. 48-year-old Elisabet, who has 3 children, described: 'I find it difficult to send my kids to school because of distance and financial situations.'

Food and nutrition

10 of the 15 people surveyed were concerned about food and nutrition while living at Six Mile. People living at Six Mile spoke about the difference between their access to food at Paga Hill. There, they fished in the harbour, ate the 'best' fresh fish, healthy and balanced meals and paid for basic necessities.

This contrasted to Six Mile, where people commented that they couldn't fish, and didn't have any gardens to grow food, they struggled to get food, were at a distance from the market and didn't 'eat properly' or 'eat good meals anymore'. 'Once in a while we eat a balanced meal,' said 48-year-old Elisabet, 'compared to Paga where we ate balanced meals daily.'

56-year-old Arthur said that in rainy season that they ate balanced meals, but in dry season they found it hard to eat properly.

Employment

The majority of people interviewed were in informal employment while living at Paga Hill: 10 of 15 people; selling fish, betel nut, cigarettes, food, water, juice and ice blocks. One man, Arthur, used to sell mobile flex cards and rent rooms to people, and is now unemployed. The majority of the people interviewed (12 of 15) are still involved in the informal economy, selling betel nuts, fruit, nuts, food or other items, with some women saying that they spent the day in town and slept at Six Mile at night.

"Home is where the heart is" right? That's Paga Hill so I can't live without a day in Downtown. That's where I find my bread and butter through selling stuff on the street and I knew a lot of office people in town, sometimes they're so kind and do give me some bucks,' said one woman.

Andrew is just one example of someone who struggles to make a living following the destruction of his assets in the demolitions. He used to work as a fisherman at Paga Hill, selling fish at the markets, and supplying fish to his family. Now, he is only able to fish from wharves on the land as his boat was destroyed in the demolitions. 'I still go fishing but this time not on the islands near Fairfax Harbour, but just around the APEC building area and the wharf area because a couple of our dinghies were destroyed during the demolition,' he says. 'I don't earn lot of money from fishing like I did back in Paga to support my family. I earn very little because my catch, it's small.'

The fear of eviction

14 of the 15 community members surveyed were concerned that they may be evicted again, and all believed it was likely to happen to themselves and their families.

28-year-old Rose, who is a mother of one, said: 'We had nowhere to settle so we are here. The company that moved us has not resettled us properly so are living in difficult conditions.'

I am nervous as we are living near the Jacksons airport, so I believe in future there will be developments taking place near us or where we are.'

The difficulty of living at Six Mile

Many of the people interviewed expressed their unhappiness living at Six Mile and how 'difficult' and 'really hard' it was living out of Paga.

Isabella, 57, summed it up: 'my living conditions were better off in Paga. Now I walk long distance to fetch water for washing, I travel by bus to fetch water for cooking and drinking, I don't have a proper shelter like before, no electricity, and health centre is a mile away. I don't eat good meals anymore, security is a concern for our women folks here, and we may be evicted again from here. Life is difficult here than in Paga Hill community.'

This is a harsh contrast from her life in Paga: 'At Paga, I had a proper shelter over my head, I had access to vital services like; water, electricity, school for kids, church and health. I ate good food, fresh fish and through my informal market I paid for my basic necessities. Paga is always safe and I like the fact that our women can walk around freely. Regardless of our different ethnicity we lived as a big family and supported each other in our community.'

What people want to improve their living conditions

When people were openly asked what they would like to see happen to improve their living conditions, people wanted access to water and electricity, basic services, compensation, justice, land title and the re-establishment of their community.

8 people (more than 50 per cent of people interviewed at Six Mile) said that they needed basic services such as safe drinking water, electricity, health care, proper housing and proper roads.

5 people spoke of the need for land title: 'I would like to see government and PHDC give us a land legally we can call home and live,' said 48-year-old Elisabet. 'I would like to see us get justice, and land title from the Government, that'll improve my living condition,' said 56-year-old Rebekah.

'Now I walk long distance to fetch water for washing, I travel by bus to fetch water for cooking and drinking, I don't have a proper shelter like before, no electricity, and the health center is a mile away. I don't eat good meals anymore, security is a concern for our women folks here, and we may be evicted again from here. Life is more difficult here than in the Paga Hill community.'

ISABELLA, 57

'We had nowhere to settle so we are here. The company that moved us has not resettled us properly so are living in difficult conditions.'

ROSE, 28

When asked openly about how their living conditions could be improved, 6 people said they wanted justice or compensation – damages to be paid by the National Capital District Commission, the State or PHDC. 'I wasted lots of money to build a house in Paga, I want to see justice for Paga people so I can be compensated one way or the other,' said 57-year-old Alinda. 'I would like to see my people and families in Paga get compensation for the demolition of their houses,' said 36-year-old Andrew.

1 person expressed that she wanted her home to be rebuilt by those responsible. 'I would like to see the government rebuild our houses because they demolished them unlawfully,' said Jasmina.

In addition to compensation, people wanted to see their community re-established: 'at least we can have an area we call Paga Hill and rebuild what we lost,' said 37-year-old Margaret.

'The houses you see here, most of the materials are ones that were demolished at Paga Hill. Then they took them here and brought them to Gerehu, and they built makeshifts and even some sleep under tarpaulins.'

RESEARCHER AT GEREHU, 2018²⁰⁹

5.4 8TH STREET, GEREHU

Gerehu is a large suburb of Port Moresby, approximately 16 kilometres from Paga Hill. The suburb is home to perhaps 50,000 people, comprised of Stages 1 to 7, with Stage 7 located beside the road, with access to its own water supply.

After the first demolition, community members state that Curtain Bros had an office set up next to the Paga Hill community, where community members could go in and arrange for their already crushed housing materials to be transported to Gerehu. A community member explained the process:

'What happened was, you go into Curtain Bros, they have an office set up right next to our community on the other side of the hill. And they said, come into the office, sign a contract that says 'yes you want your stuff to be moved' - here's your thousand Kina, thank you, bye bye. So off the owner of the house goes, and then the truck follows to pick up his or her stuff and moves it straight to Gerehu.'²¹⁰

In each case, the homeowner travelled in the back of the truck sitting alongside the damaged materials.

From late 2013 to early 2014, approximately 600 residents of Paga Hill were gradually transported to 'a strip of land roughly half a kilometre long, with a dirt track through the middle'.²¹¹ The strip of land was located next to Stage 7 of Gerehu. Wishing to create their own character for the land from the other Stages around them, the people of Paga Hill named it '8th Street'.

At the time of their arrival, there was nothing at 8th Street, Gerehu. It was simply land.

In May 2018, our researchers spoke with some of the elderly women about their experiences of moving to Gerehu. 'We were moved from here and dumped at Gerehu,' they said, 'and we were dumped with nothing. We huddled around a fire, we were scared. We weren't safe, we didn't know where we were, we didn't have anything and we didn't know what was going to happen. We lived like this for six months.'

6 people interviewed at Gerehu said that people they knew were very stressed upon their arrival at Gerehu, were very worried about the living conditions there and subsequently passed away.

Community leaders say that NCDC paid some form of land compensation to the landowners at Gerehu, the Baruni people, who were living at Stage 7. The landowners subsequently permitted the Paga Hill people, particularly the sea-front residents, to settle on the understanding that NCDC would eventually complete all necessary payment.²¹²

Community leaders allege that people who moved to Gerehu 'were mainly the Gulf people', and that people were told 'they would get title to the land and could rebuild there', and that electricity and water would be provided.²¹³

Community leaders say that when the people first arrived at 8th Street in 2013, two water tanks were brought, and water trucks would come to fill the tanks 'every other day'. However, a little over a month later, the trucks did not return.²¹⁴

Community leaders estimated that there were 800 to 1,000 people living there at the time of our researchers' visit on 18 May 2018.

In May 2018, our researchers observed that the people at 8th Street, Gerehu were living in temporary, makeshift accommodation, with no running water, power or sanitation. They had no security of tenure, and expressed worry about their perpetual state of uncertainty.

5.4.1 PEOPLE'S EXPERIENCES AT GEREHU

In May to June 2018, our partners interviewed 112 people at Gerehu: 52 men and 60 women. The people ranged in age from 13 to 68, with an average age of 33.6.

Given that community leaders estimated the population of 8th Street, Gerehu, at the time to be 800 to 1,000 people, this means that the number of people we interviewed could have been potentially repre-

Paga Hill community members living in Gerehu walking long distances to fetch water.
Video still: Aid/Watch



sentative of up to 14 per cent of the population.

A high proportion of young people were interviewed at 8th Street, Gerehu. 37 per cent of people interviewed, 42 people, were aged under 25. Of these, 15 were aged under 18. These 15 young people would have been a maximum age of 12 when the demolitions at Paga Hill began in May 2012. 27 people, or 24 per cent of people interviewed, stated they were students while living at Paga Hill.

The former residents of Paga Hill described Gerehu in May 2018 as 'not easy', dry, with no easy access to running water, no electricity and 'filled with little problems'.

Not one person of the 112 people we interviewed had their basic needs met to the same level as they once enjoyed at Paga Hill. Almost all the people surveyed at Gerehu were concerned about access to water and electricity, security, sanitation, education for their children and young people, health, and food.²¹⁵

'At Paga we fished and at least sold the fish we caught to buy food, but here we have mountains around us, to have food, (we need to) sweat in the sun, and work the soil, which is not easy, at the same time we lack access to basic services such as water and electricity.'

LISA, 53

'Living conditions now are quite hard compared to Paga. There is a lack of access to basic services...It is a struggle everyday to make ends meet.'

LEWIS, 22

'Living conditions in Gerehu are so hard, we have problem after problem. We don't have access to running water and no electricity.'

SIMON, 29

'Life in Paga was good and easy, we never struggled like what is happening here in Gerehu.'

ETHAN, 32

Shelter

The people who moved to Gerehu constructed shelter out of the materials from their demolished homes at Paga Hill.

In 2017, our researchers identified that this housing was very much makeshift. Homes were made from pieces of wood, sticks, fibro, sheet metal, and tarpaulins.²¹⁶ Some families lived under canvas or tarpaulins. Residents themselves described 'we built shanty houses from demolished materials'. 'It is a struggle for survival everyday. We are allocated blocks to live in but we are not given any form of help to build proper homes and we are still living in makeshift houses,' said 42-year-old Ricardo.

Water

100 per cent of people interviewed at Gerehu were concerned about access to water.

Despite the fact that the people had now lived at Gerehu for a number of years, they still did not have easy access to water.

Water is located much further from people's homes than it was at Paga Hill; water is located at distances of around 500 meters from most people's houses, and most significantly, it is located on the neighbouring land at Stage 7. Access to this water therefore relied on people being able to maintain good relationships with the landowners.

Community members said that their daily routine begins with collecting water. 'The tap is some distance away from our houses, we wake up early in the morning to go fetch water and carry them up to our homes,' said Davy, 65. Each time people need water, they walk to the entrance of Stage 7, pay 2 or 3 Kina to the landowners (approximately 90c to AUD\$1.30), and collect water in buckets or containers perhaps weighing 20 litres, and walk back to their homes with the weighted buckets. Community members need to do this 2 or 3 times a day.

The lack of easy access to water has had a particular impact on women and girls who are responsible for collecting water for their families. A number of women interviewed said that they had incurred back and shoulder injuries from carrying water. 'Every woman in the community has a problem with their shoulders,' said Eunice, a 52-year-old widow and mother of three. 'Most of the time, we have back problems by carrying water from a distance,' said Cecilia, 38.

One young woman said that she had a miscarriage 'due to carrying water long distances'.

'Most of the time I feel so sad seeing mothers and girls carry water from distance,' said Steven, 25.

This situation has stretched on for years. 'I don't want to carry water forever. I at least want to see some changes such as having running water closer to my house,' said Lisa, 53.

The people say that about a week after our researchers visited in May 2017, officials of the NCDC visited 8th Street, and laid down pipes and taps. However, these were not connected to the water supply, and no water came out of the pipes or taps. The people of Paga Hill unscrewed the taps and brought them inside their homes to look after them.

Electricity

100 per cent of people interviewed were concerned about there being no access to electricity. The lack of electricity also means that it is very dark at Gerehu at night. 'After four years we are still using candles,' said Edward, 20.

Security

99 per cent of all people surveyed at Gerehu were concerned about security.²¹⁷

However, this research was conducted in 2018 at a time when the two communities were still integrating with each other, and relationships were still being formed. As we mention later on in this report, since 2018, relationships between the communities has improved and it is the understanding of the authors that subsequently concerns about security have also improved.

Education

Students comprised 17 per cent of all people interviewed at Gerehu (19 students). However, 37 per cent of people interviewed at Gerehu, 42 people, were aged under 25 – and of these, 15 were aged under 18.

Almost all people interviewed were concerned about access to education for children and young people.²¹⁸ In some cases, families said that they could no longer afford to send their children to school. The closest primary school, Saint Paul's Primary School, is about half a mile away, and people walk or catch public transport.

In a news article in November 2018, 24-year-old Serah Maiga, whose family were relocated from Paga Hill to Gerehu, described life at Gerehu:

'There's no access, no fishing and no proper housing; there is nothing we had before. I don't want to stay here. I miss the sea.'

'Like many young people in the community, Maiga says her education was disrupted after the demolition of her home in Paga Hill. "We missed about four months, so some students had to repeat grades." On top of that, Maiga says the new settlement is 15 kilometres away from a school, a commute that requires an hour and as many as three public buses.'²¹⁹

The challenge for students to attend school is further complicated by the challenges of living at Gerehu, such as the struggle to access to water, and no electricity to help them study at night.

Young people noted these challenges. 'It is not easy, everyday is a struggle and there's lack of access to basic needs and services,' said 16-year-old Theo. 'It's been very hard with a lack of access to basic needs and the struggle to survive everyday. It's very hard,' said David, 18, whose mother was murdered after the eviction from Paga Hill.

CASE STUDY: AMELIA

Amelia lives at Gerehu and described the challenge she faced in seeking to continue her education.

'Well I should say, things got complicated. During that time (of demolitions and evictions) I was doing my year 8. After our house was destroyed, there's no other place for me to study or even do my homework cause we were squeezed in together, there was no electricity, no trees for a good shade and sometimes I never attended school, fearing what might happened next.

I used to be a bright student in class. After what happened I tried to cope with everything - like with candlelight, the heat of the sun, the noise from everyone being squeezed in together. But I couldn't and I failed my year 8.

Most of the youth went through some difficulties and ended up home scholars.

I didn't attend school for two years until 2015 when we were already relocated at Gerehu. I got myself enrolled with the secondary school.

Years 9,10,11,12 were the most difficult years of my life. Going to and from school is never easy. I had to wake up very early in the morning and get ready for school. And most of time I was always late for class.

After school, I had to run home quickly and go look for water to wash my uniform and keep some for the next day.

When we got there, Dad lost his job and mum was unemployed. But with what little we have, I always tried to get myself to school.

CASE STUDY: HELENA

15-year-old Helena was 'just a small child' when living at Paga Hill. She has fond memories of Paga Hill: 'it was nice, with everything that was fun about it,' she says.

Now she lives at Gerehu and 'just stays at home'. She doesn't go to school. 'It's not nice, we have too many problems with water and power, and it is very hard,' she said.

Family members and friends died after the evictions. 'The change of environment caused their death,' she says.

When asked what she would like to see happen to improve her living conditions, she says, 'I would like water to be provided for us.'

Food and nutrition

At Paga Hill, the community ate balanced meals incorporating fish caught fresh from the ocean, and plants and vegetables that they grew in the garden or bought in the local markets. However, the community's access to food at Gerehu is much more challenging. 106 of the 112 people interviewed were concerned about access to food and nutrition.

The location of Gerehu far from the coast means that the people are no longer able to rely on the ocean for food. 'In Paga we have the sea as our garden, but here, life is hard,' said 65-year-old Davy.

People at Gerehu also described that it is hard to develop gardens as the land is dry. This difficulty is potentially aggravated by the lack of ready access to water.

People observed the difference in access to food for people who were employed and unemployed. People interviewed observed that 'people who are employed are ok but for those who are unemployed it's a struggle' and 'people who are employed have food but those who are unemployed don't have enough food to eat'.

Our researchers noted that in May 2018 that 'lots of the adults and children are noticeably thin even by PNG standards, they appear malnourished. At Paga Hill, their main source of protein was fish caught from the sea but this site is inland with no reliable public transport'.²²⁰

Formal employment

A relatively high number of people living at Gerehu were previously formally employed while living at Paga Hill: 37 people, or 33 per cent of people interviewed. People were employed in a range of occupations such as NGO worker, cashier, security guard, and working for companies such as Ela Motors, G4S, Curtain Bros, and in construction, security firms, oil exploration companies, bakeries, yacht clubs, fisheries and the Education Department.

In PNG, the percentage of the population in formal sector employment is very low; in 2014, out of an estimated 4.6 million people aged between 15 to 64 years, formal wage employment was estimated at about 10 per cent of the population.²²¹ Therefore such a high concentration of formal employment is unusual.

However, we found that following the relocation from Paga Hill to Gerehu, the number of people in formal

employment almost halved – only 13 of the 37 people previously working in formal employment had continued their roles. This could be due to the difficulty of maintaining a job during the demolitions and evictions while not having a permanent home or security, or having to travel much further to work while also living with no basic services.

Overall, among the people interviewed, the number of people engaged in formal employment has dropped drastically from a rate of 33 per cent while living at Paga Hill (37 people) to now only 14 per cent of people while living at Gerehu (16 people).

Informal employment

Informal employment at Paga Hill included running small market stalls, selling items or fresh fish. While living at Paga Hill, 20 per cent of people interviewed at Gerehu, 22 people, were working in informal employment.²²² At Paga, 'even small marketing sold out fast and I could support myself,' said 51-year-old Rosa. The proximity of Paga close to town meant that community members could sell their wares easily.

Paga Hill's close location to the harbour acted as a central part of the community's livelihoods. However, given Gerehu's distance from the coast, this is no longer possible.

Of those who were informally employed at Paga Hill, the figure has almost halved.

Of the 22 people previously working in informal employment at Paga Hill, 4 people have no job at all, and only 13 people say they are still informally employed. People said that they are finding it harder to make an income, and that it is more difficult for people to sell their market goods at Gerehu. 'Unlike Paga, it is very hard to do small marketing, so it is a struggle especially for the unemployed,' said 18-year-old Ollie.

68-year-old Deirdre was formerly a deaconess in the church and was informally employed through small marketing. However, when asked about whether she is employed at Gerehu she said, 'None. It is very hard for me to do any marketing here.'

However, overall, there has been an increase in the number of people working in informal marketing while living at Gerehu.

27 people interviewed described themselves as being informally employed while living at Gerehu, while a further 6 described themselves as being both 'informally employed, unemployed', potentially meaning

CASE STUDY: EDITH, FORMERLY EMPLOYED, LIVING AT GEREHU

27-year-old Edith is married with two children. She is originally from the Eastern Highlands. While living at Paga Hill, she was employed working as a cashier at the Plaza. She now lives at Gerehu and is unemployed. Her father and brother died from illness after the evictions, but she doesn't believe that their deaths are related.

She says that life at Paga Hill was 'good and easy, we were free to move around; everything was there. We had access to basic services, we lived safely and peacefully at Paga Hill.'

Now, she says 'life in Gerehu is not easy. It's really dry here, no water, no electricity.'

Of her basic needs that are currently being met, she says 'food and church'. She would like to have a good house, proper fencing and basic services. But she also believes it is likely that they could be evicted again.

CASE STUDY: PHILIP, LIVING AT GEREHU

59-year-old Philip used to work in formal employment in a bakery while living at Paga Hill. Paga Hill was 'accessible, very easy to move around and it was safe'. He is now unemployed. 'I am now confined to a wheelchair and I depend heavily on my family for support,' he says. 'I would say that life here is very hard compared to Paga.' When asked which of his basic needs were being met, he said, 'running water and church'.

He says that his son was greatly affected when the demolition took place. 'He was very sick and the demolition stressed him even more, that caused his death,' he says.

He wants to see that basic needs and services are provided and for the community to be safe and peaceful. 'When we were evicted,' he says, 'our church was crushed down. I want to see that we have access to land title so that we can have a new church.'

that they were not making a sufficient income to state they were informally employed – therefore, a combined total of 33 people. This means that potentially 20 new people were working in informal marketing at Gerehu. This could be due to people moving into informal work from previously formal employment, or young people who used to study becoming involved in informal marketing instead.

Unemployed and dependents

While living at Paga Hill, approximately 24 of the people now living at Gerehu were unemployed, (with approximately 5 people stating that they were homemakers); the number of people unemployed has now risen to 44, constituting 39 per cent of people interviewed.

A further 19 people interviewed at Gerehu were students, comprising 17 per cent of all people interviewed at Gerehu.

Therefore, it appears that there are a large number of dependents within the interviewed population – the combination of the unemployed and students alone amounts to more than half the people we interviewed (56 per cent). This would place extra pressure on the people who are making an income to adequately provide for them, and to pay for food, school fees, transport costs and other expenses.

Many of the people we interviewed explained that life was much harder for those people who were not employed. Rebecca, a 43-year-old widow with four children, said that 'it's quite hard, most of us are not employed and we have less support'. Others explained that they depend on employed relatives. 'It's very challenging, we survive by extended families and help,' said one man, Edward, a 48-year-old father of three children.

Experience of older people

Life expectancy in Papua New Guinea is 64.3 years.²²³ Older people spoke of how 'hard' life is at Gerehu.

'As an old person it is very hard,' said Ivy, 60. 'There is a lack of water and power and we struggle to make ends meet everyday with whatever we can find.' 55-year-old Beatrice said that living conditions were 'very hard, considering my grandchildren and no support, life is very hard.' 'Living condition in Gerehu is not easy, it's hard, we lack access to water and electricity and we are affected by many kinds of sickness,' said 63-year-old Georgina.

Deaths of friends and family

32 people interviewed at Gerehu (29 per cent) directly linked the death of family members or friends to the evictions. Many attributed the stress and change of environment as factors. Further information regarding this is available in this report at 5.7 *Deaths of former Paga Hill residents.*

Other people said that older people became ill or stressed, or existing conditions worsened after their location to Gerehu, and subsequently died. 'My Grandma was very sick and she passed away when we got to Gerehu,' said 22-year-old Eli. 'My grandfather got sick from being worried about the demolition and the living conditions at Gerehu,' said 18-year-old Samuel. 'My in-law died after 2 weeks of being in Gerehu. He was worried about the living conditions here in Gerehu,' said 49-year-old Max. 'My mother in law was sick at the time of the demolitions,' said 42-year-old Lina, 'after moving to Gerehu she died.'

The unfulfilled promise of land title

People were promised that they would receive land title and basic services at Gerehu.

However, people have no title to the land upon which they currently live.

Fear of eviction

The Paga Hill people who have been living at Gerehu have no security of tenure. There is no guarantee that they will not be evicted again.

The community appeared to be split in half regarding whether they believed it was likely that they and their families would be evicted again. 45 people interviewed at Gerehu (40 per cent) believed that it was likely that they would be evicted, and a further 12 per cent were unsure about whether this was likely to happen.²²⁴ Yet 54 per cent believed that it was not likely.

The people of Paga Hill themselves identified this confusion: 'Living in this community is full of fear and confusion, we have meetings every now and then asking ourselves about the owner of the land that we are living on today - is it the state land or customary - we are still confused about it,' said 64-year-old Andrew.

'Seriously, there's the possibility of us getting evicted any time,' said Timothy, 57. Yet this view contrasted

with that of 18-year-old David: 'I think that we were brought here to stay so I don't think that we will be evicted again.'

However, proposals to build major road infrastructure nearby may result in the community at Gerehu being forced to move again.

Difficulty living at Gerehu

People interviewed described that living conditions at Gerehu were 'hard', 'not easy', 'not good' and 'very struggling'. 'Everyday is a struggle to make ends meet,' said Graham, 24. 'Living conditions in Gerehu don't match the life in Paga,' said Steven, 25.

57-year-old Timothy summed it up: 'Compared to Paga Hill, life here in Gerehu is a lot worse. We built shanty houses from demolished materials in Paga Hill, we don't have power, we walk distance to fetch water, we don't eat properly and seriously there's the possibility of us getting evicted any time.'

What people want to improve their living conditions

When openly asked what they would like to see happen to improve their living conditions, **91 per cent of people interviewed at Gerehu (102 people) overwhelmingly responded that they wanted access to basic services, such as water and electricity.** Others also spoke of the need for roads, fencing and street lights.²²⁵

25 per cent of people interviewed at Gerehu (28 people) wanted law and order, and for their community to be safe.

29 per cent of people interviewed (33 people) wanted land title, with many people expressing that this was 'most important'. This was seen as being essential to changing their living conditions. 'I think the only thing that will grant our stay and improve our living conditions is land title. With this, we can have access to everything,' said Alan, 41.

The majority of people living at Gerehu did not often refer to compensation or justice as a means to improve their living conditions. This is perhaps because the most immediate opportunity to improve their living conditions would be granting land title, and establishing access to basic services.

30 people specifically referred to the government in their responses, and 12 people interviewed wanted

to be 'recognised' or 'remembered' by the government. 'I want to see that we are remembered as victims of eviction, so the government must settle us permanently, grant us land title and provide basic services into the community', said Anna, 29.

'I would like the government to keep his word and put into action, because the Governor promised us that he is going to get the land title and access to basic services but nothing has happened yet. So this is what I want to see.'

ANDREW, 64

5.5 ON THE STREETS

For people who were moved out of Paga Hill, options for accommodation would have been dictated by their financial situation and the availability of alternative accommodation with friends or family who could assist.

One of our researchers explains: 'for the people who stayed at Paga Hill to fight against the demolitions and evictions, things became very hard. They lost a lot, they put so much money into the legal case, they lost their homes, they lost all their belongings, so they didn't have much to go rent afterwards.'

The approximately 'under 1,000' people who stayed at Paga Hill right to the end and were cleared off by police, received nothing.²²⁶ They were therefore also not in a strong position to pay rent in securing alternative accommodation. Many would have also struggled to retain jobs or maintain informal marketing activities with the displacement caused by the demolitions.

In 2018, our community partners interviewed 31 people who were living rough on the streets of Port Moresby following the forced evictions and demolition of their homes at Paga Hill. Some live under

bridges and buildings. We interviewed 16 men, 3 of whom were under 18, and 15 women. People ranged in age from 14 to their fifties; the average age was 32. All of the people we spoke to believed that they might be evicted again.

Many people stated it was a struggle just to survive on the street. 'I'm living on the street everywhere looking for ways and means to survive,' said Anna, who is in her twenties, and divorced with 2 children.

The context for people living on the streets of Port Moresby is important to consider. Crime is 'common, particularly in Port Moresby and other urban centres'.²²⁷ People are at risk of robbery, assault, sexual assault, gang rape, bag snatching and carjacking. Police brutality is also widespread.²²⁸

People living on the streets were most concerned with sanitation, health, security and access to water.²²⁹

People unanimously believed it was likely that they would be evicted again.

Shelter

The options for shelter for the Paga Hill people following the demolitions and evictions were very limited: living with family, finding rental accommodation, or living on the streets. In Port Moresby, rent is very expensive, and has been estimated at 120 per cent of household income.²³⁰ In Port Moresby, there is great disparity between the rich who live in gated communities, and people who live in settlements.

Following the demolitions, families were under huge pressure to find somewhere to live on a constant basis. People weren't able to be somewhere permanent because they were homeless – moving around on the streets or moving among families. This disruption made it difficult to people to maintain a job and also for people to go to school.

Being homeless thus placed immense pressure on fathers - trying to find a place to sleep for the night on the street; or finding a place to live with relatives; or finding a place to live. This was in addition to finding or keeping a job, affording food, accessing water and paying school fees. Being homeless placed any existing employment at threat, which in turn meant that school fees wouldn't be paid.

People living on the streets found it struggle for survival everyday, to find somewhere safe to sleep; to find food. They constantly faced the threat of being moved on, or dealing with the weather, such as tor-

rential rain. Our researchers noted that the community members showed great resilience in the face of hardship, with some of the young men and the younger boys working together and looking after each other.

People said there was 'no proper shelter' to protect them from the elements. The conditions for people sleeping rough in the city are cold, dusty and windy. 'I live on the streets, sleep in the dust, it's windy and very cold at times,' said Alby, 14. 'Now I sleep outside in the streets. Sometimes it's cold, I mean very cold, in the night, rain, dusty, and very uncomfortable,' said Candy, 24.

Food and nutrition

27 people (87 per cent of people interviewed on the streets) were concerned about a lack of access to food and nutrition. 'I don't have access to good food and fresh fish anymore,' said Alby, 14. 'We don't eat proper meals anymore,' said Isobel, 47. 'Once or twice a week I eat a balanced meal when I earn a little bit extra from my sales,' said Candy, 24.

Security

29 people interviewed (94 per cent) were concerned about security. People also spoke about encountering violence and being chasen or beaten by police.

People from Paga Hill who were living on the streets spoke to our researchers about having to wake early in the morning, 5am or 6am, in order to avoid being moved on by police.

'Security is a major concern because Police are now beating us up and destroying all our informal market goods,' said James, 25. 'Police are chasing me all the time wherever I'm selling stuff like betel nut, cigarettes and other stuff,' said Carmel, 48. 'I've been beaten by the police several times and told not to sell stuff anymore'. 'Police sometimes chase us from the streets,' said Edward, 31, married with 2 children.

In 2018, our researchers spoke with mothers who formerly lived at Paga Hill, who were living on the streets of Port Moresby, selling betel nuts, cigarettes, peanuts. The mothers were making money in order to be able to afford food, and also to pay the school fees for their children. The mothers would be out all day selling, and sell their wares until 10pm or 11pm at night, sleep on the streets, and be up by 5am or 6am, as any later the police would come around and move them on. This was their daily lives, and carried a high security risk.

'I don't have water, power, good food, church etc. life is getting harder, I don't have shelter so I sleep under buildings wherever I feel comfortable.'

STELLA, 37, FORMERLY AN INFORMAL MARKET SELLER

'I don't have a shelter over my head, me and my son sleep on the streets and I raise my son through selling marijuana/cigarettes on the streets. No proper place to go for shower, toilet, and sleep. Police sometimes chase us from the streets.'

EDWARD, 31, FORMERLY AN INFORMAL MARKET SELLER, MARRIED WITH TWO CHILDREN

Access to basic needs

Our interviewers asked, 'What basic needs are being met where you currently live?' 'Totally nothing', said Stella, 37. 'Currently, the basic needs are all neglected', said Thomas, 50. 'I live on the street so the basic needs are neglected,' said Cecelia, in her fifties.

6 of the 30 people interviewed said that none of their basic needs were being met. However, this relatively low number was due to people trying to identify basic needs that were being met while they lived on the street. For example, 6 people said that their basic need of church was being met.

People's access to electricity is limited to the light cast from buildings.²³¹ 25-year-old James said, 'I get electricity from the buildings as light but not for charging phone or cooking.' 26 people (83 per cent of people interviewed) were concerned about their lack of access to electricity.

Water

29 of 31 people interviewed (93 per cent) were concerned about gaining access to water. 'I don't have clean water,' said 37-year-old Graham; 'no proper running water', said 14-year-old Alby. One young woman, 28-year-old Isobel said, 'we have access to swimming pool water, just for washing clothes and shower'.

24-year-old Matthias, who used to be an acrobatic performer and played football, described how his basic need of access to water was fulfilled: 'I wash in the sea and rinse off using a pool waste water that runs down from Paga Hill Mountain.'

A former resident of Paga Hill said:

'After they cleared us out from Paga, I was living just outside the Westpac building in downtown Port Moresby for almost two years. My younger daughter's pre-school was burned in the demolition so she couldn't go to school. I washed her in the public toilets and had to beg the building security guard to use the drinking tap to get water for her to drink.'²³²

Education

28 people (90 per cent of people interviewed living on the streets) said that they were concerned about the lack of education for children and young people.

In 2018, our researchers spoke to fathers who were born at Paga Hill, and their children were born at Paga Hill. One of their key concerns after the demolition was that their children could no longer go to school due to the disruption. The disruption of the demolitions meant that people were focused on trying to live. Some people lost jobs. Even if they had a job, the day-to-day process of getting children to school was very difficult, including a further distance to travel, the need for bus money, logistics. Subsequently, people reported that their children were no longer going to school.

[My living conditions] are bad, very bad, my kids have no school,' said 47-year-old Isobel, who is married with 3 children. Cecelia, who is in her fifties, said: 'My child has been withdrawn from school because I can't afford to provide his basic needs.'

Our researchers in 2018 noted the experience of young men living on the streets: 'those young men were just surviving. They had to do whatever they

could to make money – there was no way that they had time or money to go to school. They just had to survive everyday on the streets.’

The loss of home

Living on the streets, many of the people interviewed spoke with feeling about the loss of ‘home’. For many people formerly living in Paga Hill, they had lived there for the majority of their lives: it was the only home they knew. ‘It’s very difficult for me to stay away from town, it’s my home,’ said Bob, 37.

Former diabetes and HIV/AIDS educator, Ashlea, who is married with 3 children, said, ‘I’ve lost home and the basic needs for my life and livelihood.’ Thomas, a former shop assistant in his 50s, married with 2 children said, ‘I don’t have a home. I live on the street of Port Moresby.’

24-year-old Candy is married and used to sell betel nut and cigarettes to make a living when she lived at Paga Hill. Now she lives on the streets in a ‘small makeshift just near the APEC building’:

‘But here’s where I grew up, my parents died when I was in my early teens, I feel at home here. I don’t have clean drinking water, power, but I know places in town where I can get water.’

At Paga Hill, she says: ‘life was peaceful, we had good houses and services like water, power, school. We had a small church too. Our family were very close, and we shared a balanced meal every time. Life was basically easy and good.’

What people want to improve their living conditions

When openly asked about how their living conditions could improve, people living on the streets asserted that they wanted compensation, justice, for their homes to be rebuilt, land title and basic services.²³³

The majority of people interviewed, 68 per cent, said that their living conditions would improve if they were paid compensation or ‘saw justice’ (21 people).²³⁴

Of these, **45 per cent of people interviewed (14 people) interviewed specifically wanted compensation.**

‘I’d like to see compensation for our houses being destroyed, that’ll improve my life,’ said 48-year-old Stella. ‘I’d like to see the Government compensating us for illegal demolition so we can rebuild our lives,’

said 23-year-old Constance. ‘The developer and state must compensate us properly,’ said Thomas, in his fifties. ‘Compensation of damages caused to me by PHDC and corrupt Government,’ said 40-year-old Alan. ‘I would like to see some form of compensation for my community so we can build our lives again in wherever we are,’ said 22-year-old Edward. ‘I would like to see the Government compensating us for demolishing our houses, if that happens that’ll slowly improve my living conditions,’ said 28-year-old Isobel.

Of these, 23 per cent of people interviewed (7 people) wanted to ‘see justice’. ‘My living conditions would improve if only justice take place,’ said Ashlea, in her forties ‘I would like to see justice take place,’ said 50-year-old Ethel. ‘At the moment, I see that there is no justice.’

26 per cent of people interviewed (8 people) wanted their homes to be rebuilt by those who were responsible. ‘I would like to see the Government rebuild our houses, that’ll improve my life,’ said Graham, 37. ‘I want to see PHDC & NCDC rebuild our houses, that will improve our lives,’ said Bob, 37. ‘I’d like to see our government build our houses with electricity and water and give us land title, I think that will improve my current living conditions,’ said Lucas, 18. ‘I’m now living on the streets, I’d like to see Government and PHDC compensate us, rebuild our houses and give us titles, then we can do our best to rebuild our community,’ said James, 25.

19 per cent of the people interviewed (6 people) said that land title would improve their living conditions. ‘I’d like to see Government give us a place of our own with proper land titles and compensate us for the damages they caused to us and then I think that will improve our lives again,’ said 22-year-old Emmanuel. ‘I would like to see our Paga people given a land title of a piece of land and compensate us by building our houses and that, I think, will improve our living conditions,’ said Beulah, 37.

10 per cent of people interviewed (3 people) wanted access to basic services. ‘Put us all Paga Hill people together in one place and provide basic services,’ said 24-year-old Candy. The relatively low number of people seeking access to basic services may be explained by the fact that this, in and of itself, would not provide remedy to people’s situation living on the streets.

CASE STUDY: LUCAS, 18 YEARS OLD

Lucas is 18 years old. At Paga Hill, he was employed as an acrobatic performer, and participated in Paga Hill's community yoga and acrobatics program.

He describes his old life in Paga Hill as 'awesome! We had basic needs in terms of electricity, water, and health/sanitation. My family unit was completely intact and security issues were not a problem in Paga. We ate fresh from the sea and healthy everyday.'

Now he lives on the streets in town, and doesn't have a job. He says: 'my living condition is fucked up. I sleep under buildings; I don't have clean water anymore, no electricity, youth programs. I only get electricity from the buildings for light during the night.'

He is now an orphan. 'My mum lost our big house while Dad was out at sea in 2012,' he says. 'One and a half years later, my Mum passed away due to the trauma caused by the demolition.'

'I'd like to see our government build our houses with electricity and water and give us land title,' he says. 'I think that will improve my current living conditions.'

CASE STUDY: EDDY, 14 YEARS OLD

14-year-old Eddy used to live with his parents at Paga Hill 'when I was a kid'. There, they had at least proper shelter, and water just near their house. They didn't have electricity but they did get light from a neighbour's security light. They ate good food with fish always as their main protein.

Now he lives on the streets in town. He sells betel nut or cigarettes to make a 'small income for myself to survive'.

His family are sharing a makeshift in Gerehu and it's overcrowded, so he has chosen to live on the streets. 'Now my living conditions are bad, I sleep in the open air in town because my family are all packed in one small makeshift in Gerehu.'

'I was born here, I know how to survive here that's why I don't want to leave this place. I don't have access to nutritional food every day, no clean water, school, and other services. I feel at home when I'm in down town!'

'I would very much like to see our houses being rebuilt,' he says.

5.6 SCATTERED LOCATIONS

32 people interviewed were living throughout other settlements and locations in Port Moresby. These included the settlements of ATS, Erima, Gordons, Hanuabada, Hohola, Kaugere, Kilakila, Kone, Morata, Pari, Sabama, 8 Mile, 9 Mile, elsewhere in Port Moresby, and in a shelter on private land.

In addition to those people who are living on the street, these 32 people interviewed are representative of the estimated 2,000 people that did not take up offers to resettle at Six Mile or Gerehu, the vast majority of whom received no assistance at all following the demolitions and evictions. The circumstances of this group vary.

We interviewed 14 men, 16 women, one boy and one girl under 18, with an average age of 34.8 years.

Housing

People interviewed across scattered locations were living in different states of housing; while 27 people stated that they had shelter, at least 6 people interviewed appeared to have been living in temporary shelters. Two people described living in a shanty house, another described their home as 'makeshift'. One man described living in 'a small shelter, what was left over from Paga's demolition'. 16-year-old Peter described living on private land 'without proper shelter'. 'It is always very cold at night when it's windy,' he said.

Overcrowding

Many people stated that they were living with their relatives – uncles, in-laws, or with 'other people', 'under one shelter', or 'in a house full of people'. Three people spoke of living under the houses of their family members or family friends; 'the sides are covered in canvas,' said one.

Conditions appear to be overcrowded. 'Sometimes I feel sick living with a big number of family members,' said a young woman. A young girl spoke of doubling up to sleep during the night, 'not like Paga where I had a whole room to myself'. One woman commented, 'I live in a place where there's lots of people, there's no space for us to get some fresh air'.

Water

19 people (59 per cent of people interviewed across these locations) stated that they were concerned about their access to water. People spoke of having

to 'walk a distance', 'walk up a mountain' to access water, or walk to a person's house who had access and pay. This occurred at ATS, Kaugere, Morata, Sabama and at other locations.

At ATS, people have to 'walk miles to fetch water to drink'. At Sabama, people 'walk 400 metres to fetch water and shower' and sometimes bribe the owner of the water with K2 to access water. At Hanuabada, 'the water place is full, we have to queue'.

Only 7 people (22 per cent of people interviewed across these locations) said that they did have access to water.

Electricity

At least 22 people (69 per cent of people interviewed throughout these locations) did not have access to electricity.

Food and nutrition

23 people (72 per cent of people interviewed across these locations) were concerned about their access to food and nutrition. Some people said that they ate balanced food 'once in a while' or 'twice a week', or that they 'didn't eat nutritious meals often'. Others said that they were no longer able to catch fish to supplement their diet as they didn't have 'access to the fish/sea anymore'.

People's access to food appeared to be dependent on their income, yet also on the number of dependents they were supporting. 'I don't eat proper meals though I'm working, because too [many] dependents and external family to look after,' said a 36-year-old man. 'We eat nutritious food once we earn extra income,' said a man living at Hanuabada.'

Education

22 people (69 per cent of people interviewed across these locations) were concerned about access to education for children and young people. There is 'no proper school' said someone living at Hanuabada; there is 'no school for my siblings to go to,' said a 16-year-old.

5 people interviewed were students. However, while living at Paga Hill, 12 of the people interviewed had been students.

8 people said that education for children and young people was a need that was being met where they currently live.²³⁵

CASE STUDY: JAMES, 25 YEARS OLD

James is a 25-year-old young man, and is married with 2 children. While living at Paga Hill, he caught and sold fish to make a living. Now he lives on the streets in town and during weekends he visits his family who have resettled in Six Mile (Manuti).

At Paga Hill, he had a permanent house where he and his whole family lived.

'The house was built by my Mum and Dad,' he says. 'I had access to water just nearby my house; I had electricity, school for kids, and church. In fact, Paga Hill community was blessed with the best living conditions. Food was always fresh – fish with veggies from Koki market, which was a small distance bus ride away. I had a strong family that was united with the whole Paga family. Safety was less of a concern in Paga, which made the whole place peaceful and harmonious.'

Now he volunteers as a yoga instructor and he also fishes to earn an income for his family.

'My living conditions now are bad but I try to make a little heaven whenever I can. I sleep on the streets in town. I don't have basic services anymore. I don't eat good food, once in a while when I'm with family at Six Mile over the weekends. Security is a major concern because Police are now beating us up and destroying all our informal market goods.'

One of his relatives, Benjamin, passed away after the demolition. James attributes Benjamin's death partly to the demolition and to illness.

'I'm now living on the streets,' he says. 'I'd like to see Government and PHDC compensate us, rebuild our houses and give us titles then we can do our best to rebuild our community.'

Employment

Unemployment has risen among the people interviewed following their departure from Paga Hill. While living at Paga Hill, two people interviewed were unemployed: one of whom was living with a disability and unable to work. However, since the relocation from Paga Hill, now an additional 6 people (8 people interviewed) are unemployed. Only one of these six people is a student. These five unemployed people used to be informally employed in occupations that were very tied to their location at Paga Hill, renting rooms to people in their homes to make an income; running their own trade store; fishing; and being involved in informal marketing.

As at the time of interviewing, 10 people were working in informal employment. This had reduced from 13 people while they were living at Paga Hill.

While living at Paga Hill, 5 of the people interviewed were engaged in formal employment. This has now risen to 9 people. This could be due to students moving into formal employment.

However, people have retained their jobs while facing challenges, such as the expense of bus fares to get to and from work. Two of the 9 people engaged in formal employment are retaining their jobs while they do not have access to electricity.

One of the people interviewed was accommodated by his employer. 'My concern is if I am finished from my current job I would be homeless because I don't have a home,' he said.

Living conditions

People interviewed described their living conditions as 'bad' and 'hard'. 'It's a big struggle for me,' said 58-year-old Sam, 'and I'm sure it is for other Paga people as well.'

'Where I live currently I see that my basic needs are neglected,' said Sera, 29. 'Life's really difficult away from Paga Hill,' said Hugo, 30.

Community members also said that the transition has been difficult: 'my family members got scattered around the city, my husband died and I'm finding it hard to adapt to the new environment,' said Robyn, who is in her fifties.

Security

While it may be perceived that those living in scattered locations have a secure life, this does not

appear to be the case. 28 people (88 per cent of people interviewed) were concerned about security. 'It is a paramount concern,' said two people. One interviewee described that while living in a settlement in Port Moresby, her house was burnt.

Threat of further eviction

People living across scattered locations also do not have certainty that they will be able to stay where they live. 90 per cent of people living across scattered locations were concerned about the risk of further eviction.²³⁶ 'We feel insecure at our current locations of residence, anytime we'll be evicted or demolished again because our future is uncertain,' said Camelia, 28.

97 per cent of people interviewed across scattered locations of Port Moresby believed that it was likely that they and their families could be evicted again.

These results are powerful, as they reveal that individuals who were able to find accommodation in locations that were not provided by PHDC or NCDC, still do not have security of tenure.

What people want to improve their living conditions

The majority of people interviewed across scattered locations emphasised that they wanted to 'see justice', compensation, or for the 'Paga people to be treated fairly'. This accounted for 84 per cent of people interviewed (27 people) across scattered locations.

8 people asserted that being given land title would improve their living conditions (25 per cent of people interviewed). Whereas 6 people specifically wanted those people that had destroyed their homes to rebuild them (19 per cent of people interviewed at these locations).

By contrast, only 3 people stated that they wanted basic services to be provided (9 per cent of people interviewed across these locations).

5.7 DEATHS OF FORMER PAGA HILL RESIDENTS

48 per cent of all people interviewed (91 people) said that family members or close friends who lived at Paga Hill had died since the first demolition at Paga Hill in 2012.

TABLE 8 DEATHS OF FORMER PAGA HILL RESIDENTS

	Number of people who said that they knew people from Paga Hill who had died	% of total people interviewed
Family members or close friends died since the demolition	91	48
Deaths directly blamed on demolitions, evictions and relocation	48	25

Many Paga Hill community members attribute the forced evictions as contributing to the deaths of family members, whether through increased stress, impeded access to medication, lack of practical care for the elderly, or violence.

25 per cent of all people interviewed (48 people) directly blamed the death of family or friends on the demolitions, evictions and relocation.

Trauma and nervous shock

The demolitions, forced evictions and relocation may have caused trauma and nervous shock in many individuals. Many community members spoke of the worry and stress experienced by their family members, with 11 per cent of all people interviewed (22 people) attributing deaths to the level of worry, stress or trauma that people faced. 6 of these 22 people directly related people’s deaths to being worried about the living conditions at Gerehu alone.

‘My Uncle was so scared to leave Paga Hill and so he died two weeks after the demolition,’ said Beatrice, 37. ‘My son was greatly affected when the demolition took place. He was very sick and the demolition stressed him even more – that caused his death,’ said Robert, 59. ‘The move caused my husband to be shocked and he was greatly affected. After the second demolition, my husband passed away.’ said Edith, 43, widowed with 4 children.

Impact on people who were already ill

People reported that the change of environment and location affected people, but especially those who

were already sick. People said that many people who were already sick were left vulnerable and died after the demolitions.

‘I have seen many of my friends from Paga were dying because of the demolition and forced evictions. Some of them, their sicknesses were curable, but because of the evictions they could not afford good foods and nutrition, water and place to rest,’ said 37-year-old Sarah.

‘She was sick at Paga, and when we moved to Gerehu, she can’t help living in that environment and she got worried and died.’ said 24-year-old Sammy.

‘My brother was ill and sleeping in the house while the demolition took place. They cut power, water and those are basic services that affected my brother’s health and he unfortunately passed away,’ said 56-year-old Arthur.

‘My father was very sick and died 2 weeks after the demolition,’ said 33-year-old Alina.

‘She was sick at that time and the demolition caused more stress on her, that weakened her and caused her death,’ said 52-year-old Jerome.

A 13-year-old girl, Daisy, felt the stress of homesickness was related to the death of her grandmother: ‘my grandmother was really sick at the time, and when we were evicted the second time, she couldn’t bear living in the new environment so she passed away.’

Exposure

Some residents said that family members who were already sick, got worse after the demolition as they were sleeping under canvas, and subsequently died. 57-year-old Paul spoke of his niece: 'She was very sick. When the demolition took place, we slept under canvas and she got worse from breathing the dust, and so she passed away a week after the demolition.' 21-year-old Gretel said, 'my cousin was very sick, and by breathing the dust from sleeping under the canvas, she got worse and died two weeks after the demolition.'

Two people spoke of family members who had been diagnosed with tuberculosis (TB), and how sleeping outside in the cold led to deterioration in their health:

'My niece, an infant, and brother passed away. My brother passing was related to the demolition because we had no proper place to sleep and imagine, he was diagnosed with TB. Paga is freezing cold always in the night so that kind of led to the deterioration of my brother's health,' said 36-year-old Richard.

'My aunt was diagnosed with TB. During the demolition period, we had to sleep outside and outside is always cold. Unfortunately she passed on just when we moved to Gerehu.' said 57-year-old Timothy.

Impact on the elderly and those who required care

Others said that the elderly and others who needed care particularly struggled after the evictions.

'She was over 60. Her death was related to the forced eviction. As she got evicted there was no one to accommodate and provide her with the basic needs she eventually died,' said Cecelia, in her fifties, who is now living on the street.

'A close friend died due to the demolition and forced evictions because her basic needs are all neglected and [there was] no one to take care of her,' said 50-year-old Thomas, who is now living on the streets.

'My grandmother was a very strong lady, she wouldn't have passed away if we were in Paga. We ate good meals, there's health workers living in Paga that give us support. In terms of medication, fresh water and family togetherness will still keep her alive. Unfortunately we were removed off Paga

so all the basic support she can get from the community was lost, therefore she got worried all the time, and medicine couldn't work too, so she sadly passed away,' said Jasmina.

Essential medications destroyed

Residents also said that people died due to a lack of access to medication, after their medication was destroyed during the demolitions:

'My Mum was sick and during the process of 3 to 4 demolitions during different times, her medical supplies were also destroyed. She wasn't up-to-date with her supplies, hence she unfortunately lost her life,' said 37-year-old Stella, who is now living on the streets.

Miscarriage

Two people attributed miscarriages to the demolition and evictions:

'I had a miscarriage due to carrying water long distances. So yes, I will say that it was an effect of the demolition and evictions,' said Aline, 29, who lives at Gerehu.

'My wife had a miscarriage and I think it is related to the demolition,' said Anton, 40, who lives at Gerehu.

Vulnerable to violence and murder

Community members reported that friends and family were murdered after the evictions.

35-year-old Frances described the death of her brother:

'My small brother was drinking alone at 2 Mile when he got murdered. Usually our boys from Paga go around in groups and big numbers drinking, clubbing etc. Paga was demolished and residents were dispersed and my brother was alone and unsafe because he doesn't have his peers near him. Hence he got speared on his chest, and he was pronounced dead on arrival at the Port Moresby General Hospital.

I miss my baby brother very much. Every time when I think of him I silently cry when doing my daily sales. If Paga was not demolished my brother definitely would still be alive.'

18-year-old David, who is living at Gerehu, said his mum was murdered: 'my mum was exposed to people who wanted to kill her and they did.' 15-year-old Nell's big sister was also murdered: 'land dispute caused the death of my big sister.'

Elliot, who was living at Six Mile said, 'we had one youth who had no place to sleep and was killed when thieves tried to rob him. Another who was ill at that time passed away because of the trauma of the eviction.'

28-year-old Rose said that someone close to her died as the result of an accident:

'We had moved after the demolition to Pom Tec, and she was run over by a truck and died of her injuries.'

The loss of family and friends has compounded the trauma that the community of Paga Hill have experienced. Almost half the community, 48 per cent of people interviewed, knew of family members or close friends that had died since the demolitions.

A quarter of all people interviewed directly blamed the deaths of family and friends on the evictions. If this figure was extrapolated to the entire Paga Hill population, the number of deaths directly blamed on the evictions could number 750 people or even higher.

5.8 AN UPDATE ON WHERE THEY ARE NOW

Since our researchers visited in May and June 2018, there have been some changes in the communities at the Tagua site within Six Mile settlement and Gerehu.

5.8.1 TAGUA, SIX MILE

Community leaders of Paga Hill say the situation at Tagua, Six Mile has 'gone from bad to worse'. 'There wasn't any sort of care whatsoever from PHDC,' they say, 'so everything, the little stuff, like the tents, water, toilets, they have got to the stage of getting even worse.'²³⁷

Water

At Tagua, Six Mile, the people were initially promised that they would have access to water.

'However, there is still just one tap to provide to the entire community and it also works sporadically. Sometimes the tap runs dry, then the following week, water will flow, then dry up again. The availability of water from the tap continues to fluctuate all the time. When the water dries up, people have to go to the nearest community to fetch water, but then they have to pay,' said one community leader.²³⁸

Sanitation

Many years on, Tagua, Six Mile still does not have sewerage and sanitation systems. The toilets are not in good condition. Community leaders say that they are worse than they were in 2018, when our researchers visited. 'It is very, very disgusting. Inside is full of toilet papers, containers, diapers, pads, shit everywhere. Anything and everything that is rubbish is chucked in there.'²³⁹ There are also mice and cockroaches.

Housing

At Tagua, Six Mile, people received the cash from PHDC, and went to live in tents under a large roofed structure. People continue to live in tents. However, after years of daily use, these tents are now breaking apart.²⁴⁰

'The people are very poor, so it takes a long time to save up enough materials to build a shanty house. The people have been there for so many years now, that some have collected enough materials to build a shanty house: that's when they start building. People obtain offcut materials from their workplaces: roofing iron or timber, or ask for them from the nearest sawmill, and take timbers back and build structures. Some people have built shanty houses separately, and have cleared a small block of land away from the warehouse. However, currently there are just a handful of residents that have shanty houses separate from the warehouse,' said one community leader.²⁴¹

Electricity

The Six Mile highway passes through near Tagua block. A few individuals living by the road, who had money, paid for electricity to be installed themselves. However, community members say that no one from Paga Hill has access to electricity.

Gardens

People have made gardens at Six Mile. Very few people do informal marketing with the produce.

Safety for women

It is still unsafe for girls and women to walk alone at night.

Threat of eviction

The community does not have title to the land, and therefore continue to fear potential eviction in the future.

Community leaders say that most of the 400 Paga Hill residents who took the resettlement package at Six Mile have left due to poor conditions. They estimated that there are maybe more than 50 people from Paga Hill left.

5.8.2 GEREHU

At 8th Street, Gerehu, people urgently require access to basic services. As at February 2020, it is estimated that perhaps less than 500 people from the Paga Hill community are still living there. People still do not have connection to electricity, sewerage systems or access to running water, many years after they first arrived.

Water

Years on from their arrival, the only accessible water is located in the neighbouring community at Stage 7, and there is only one tap there. This tap is shared between the approximately 500 people living at 8th Street Gerehu, and the community living at Stage 7.

Everyday, the people of Paga Hill continue to collect water two to three times per day. The process involves walking approximately 500 metres to Stage 7 carrying large water containers, paying 2 to 3 Kina (approximately 90c to AUD\$1.30), queuing for water and carrying their heavy load of water back to their homes. Each week, the cost of water could therefore be K63, or AUD\$28.

When people started to move into Gerehu, 2 large water tanks were brought by NCDC that would be filled 'every other day' for perhaps more than one month. Since then, community members have said, that the water truck did not return.²⁴² The pipes and taps laid by the NCDC in 2017 to enable access to water have at time of writing not been connected to the mains.

Sanitation

At Gerehu, there are no toilets – just toilet pits, which people dug themselves.

Electricity

The people still do not have electricity. A handful of houses use solar power, however the majority use fire for cooking. It is very dark at Gerehu at night, and most of the people use torches to walk around the community.²⁴³

Safety for women

It is still unsafe for girls and women to walk alone at night.²⁴⁴

Mosquitoes

When it is rainy season at Gerehu, 'the mosquitoes are like crazy – they just rush on you!' There is malaria in the area. However, the community cook up the leaves of *chikona* tree, which repels the mosquitoes.²⁴⁵

Gardens

People have now made gardens at Gerehu, and have tried to adapt to the environment. However, in contrast to their lives at Paga Hill, very few people do informal marketing with the produce.²⁴⁶

Strengthened relationships

At 8th Street at Gerehu, while the community initially faced conflict with the people living at Stage 7, over time, relationships have been built. There have been at least ten marriages between the people of Paga Hill and the people of Stage 7, which has strengthened relationships.²⁴⁷

Land title

While the community were promised land titles and basic services, nothing has yet materialised.

Gerehu as congregational point

Gerehu now acts as a congregational point for the Paga Hill community. 'People would definitely be willing to move in there and be part of the entire family,' says a community leader. Every weekend, whatever their circumstances, whether in 'downtown Port Moresby, or residents working during the week', people congregate at Gerehu during the weekend – Friday, Saturday, Sunday, and then return to their respective jobs and homes on Monday.

Each weekend, people from the different regions represented at Paga Hill (the Highlanders, the Islanders, people from Simbu, the Southern Region and Mombase Region, Kikori and Baimuru) travel to Gerehu.

When larger events occur – for example, a sport event, a church event, a film screening or a local block party at someone's house, 'everyone passes the word around, and everyone goes up there'; sometimes more than 50 people, and across a range of ages, from children to the elderly.²⁴⁸

There is no community centre, but the community has built a church with walls that has been 'built very nicely'.²⁴⁹ This is the venue where the community congregate.

Threat of eviction

There is no certainty that the community of 8th Street, Gerehu will not be evicted again.

The suburb of Gerehu is ringed by the invisible lines of the National Capital District's zoning boundaries, and the NCDC has announced its plan to build a four lane back road from Gerehu to the oil refinery at Napa Napa. The road is intended to provide convenient access in particular for large trucks and heavy vehicles. At present, it is not clear whether the road will go through the community, or beside it.²⁵⁰

About two years ago, the community were told that the road might be built. However, since then, the NCDC has started building the other city roads, such as from Gerehu to 7 Mile. The back road is one of the major road maps that the NCDC may soon start to build.²⁵¹

5.8.3 ON THE STREETS

Community members say around 50 to 100 youth continue to live on the streets and roam around town. They felt a connection to Paga Hill: 'they couldn't stay away from where they grew up'.

5.8.4 SCATTERED LOCATIONS

Community members say that maybe more than 500 people from the Paga Hill community, especially young people and elderly people, now 'sell stuff' in town: betel nut, cigarettes, flex cards – to make an income. While some of them sleep on the street from time to time, community members say that most of the time, these people go back to the locations that they rent in other settlements in Port Moresby or stay with relatives.

Other former members of the community live with relatives, rent in other communities, have returned to their home provinces or have built houses elsewhere.

5.8.5 THE PAGA HILL SITE

In March 2020, PHDC announced on its website that the Paga Hill Estate had officially been announced as the first Special Economic Zone in Port Moresby.²⁵²

Yet as of June 2020, no significant building or development has occurred at Paga Hill.²⁵³ The hill is entirely empty.

5.9 CONTEXT IN PAPUA NEW GUINEA

Understanding the challenges faced by the people of Paga Hill becomes clearer when placed in the context of other factors, such as the minimum wage, accommodation, access to water, health and safety in Port Moresby and more broadly in PNG.

Minimum wage

In 2018, the minimum wage for Papua New Guinean workers was K3.50 (AUD\$1.57) per hour or K140 (AUD\$63) per week.²⁵⁴ In 2014, the year of the final demolitions at Paga Hill, the minimum wage rose from K2.29 (AUD\$1.03) to K3.20 (AUD\$1.44) an hour.²⁵⁵

In the demolitions, people lost their homes, possessions, whitegoods and other assets such as dinghies and shop goods that formed an essential part of making an income through informal marketing.

After their displacement from Paga Hill, many people struggled to maintain their income made through informal marketing. This happens in a context where 85 per cent of the population in PNG depends on the informal economy to make a living.²⁵⁶

People interviewed noted that PNG was becoming an expensive place to live: 'I heard people say on the radio that PNG has become an expensive place to live in the world. That is true because some years back I pay K2.50 for 1 kilogram of rice, now the price has gone up to K6.00.'

Accommodation in Port Moresby

Obtaining alternative accommodation in Port Moresby would have been difficult for the former residents of Paga Hill. PNG rental site MyPNGHome provided an average of costs for rentals in 2018. Townhouses were cited as charging K700 to K1800 (AUD\$315 to AUD\$810) per fortnight, while apartments were rented for K1,000 to K2,000 (AUD\$450 to AUD\$900) per fortnight, depending on the location and quality of the rentals. By contrast, settlement houses could be K200 to K700 (AUD\$90 to \$315) per fortnight.²⁵⁷

In 2019, the PNG National Research Institute noted that the average rent in Port Moresby is about AUD\$1,160 a month – or AUD\$13,920 per year, or 120 per cent of household income. These figures also deeply contrast with estimates of PNG's gross national income per capita made by the United Nations Development Programme, of just AUD\$3,555 per year.²⁵⁸

Water and sanitation

In Papua New Guinea, the rate of access to basic drinking water is among the lowest in the world: only 37 per cent of the population are estimated to have access.²⁵⁹

87 per cent, or 165 people interviewed, were concerned about lack of access to water following their displacement from Paga Hill.²⁶⁰

It is unknown how many of Paga Hill's population returned to rural areas in their families' home provinces, or how many continued to reside in urban areas around Port Moresby. However, it is clear that access to safe water is higher in urban areas.

The Department of National Planning and Monitoring's *National Water, Sanitation and Hygiene Policy 2015 – 2030* acknowledges the significant gaps in access to safe water and sanitation in urban and rural/peri-urban areas. This is despite the fact that more than 87 per cent of the PNG population live in rural areas.²⁶¹

The Department of National Planning and Monitoring estimates that 89 per cent of people have access to safe water in urban areas, contrasting to only 33 per cent in rural/peri-urban areas.²⁶² In the cities, access to sanitation stands at roughly 57 per cent of the population, yet drops to only 13 per cent in rural/peri-urban areas – a level unchanged since 1990.²⁶³

Health

Water-related diseases such as diarrhoea, typhoid, malaria and cholera are major causes of illness and death in PNG,²⁶⁴ and 'are among the principal causes of deaths in children under five years'.²⁶⁵

Poor access to water, sanitation and hygiene practices lead to 'increased incidences of water borne diseases, most notably diarrhoea, typhoid and cholera leading to higher morbidity and death, poorer educational attainment and economic impacts at both the household and national level'.²⁶⁶

Education

People described that their children had stopped going to school after the demolitions. This happens against a background where PNG is demographically a young country, with 76 per cent aged under 35 and 40 per cent aged under 15, and **25 per cent of children are unable to attend school.**²⁶⁷ It costs approximately 5 Kina per day to send children to school.

Maternal health

Women who were displaced from Paga Hill no longer have as ready access to the health centres that they used to frequent while living in proximity to Port Moresby. Two people interviewed said that they had suffered miscarriages since their displacement from Paga Hill.

This is within a context in which PNG 'loses more mothers during pregnancy and childbirth than most countries in the Asia-Pacific region'.²⁶⁸ Human Rights Watch notes that the 'number of women and girls who give birth in a health facility with the help of a skilled birth attendant has reduced in the last 5 years'.²⁶⁹

Violence against women

Women displaced from Paga Hill were concerned about safety. Rates of violence against women in PNG, including sexual violence, are high. The International Women's Development Agency asserts that 'gender based violence [in PNG and Bougainville] has reached pandemic levels, and women and girls continue to face barriers in accessing and expanding their skills, opportunities and resources, allowing them to fully participate in PNG society'.²⁷⁰ PNG ranks in the bottom ten countries of the Gender Inequality Index.²⁷¹

Life expectancy

Average life expectancy in PNG is 64 years for men, and 68 years for women.²⁷² Many of the people interviewed alleged that older people and the infirm particularly struggled after the evictions to receive appropriate assistance and care.

It is against this background, that the consequences of forced eviction of approximately 3,000 people from Paga Hill become more apparent. The people of Paga Hill also had the security of the relationships around them which insulated them in a form of social fabric from the harsher conditions faced by their peers and extended families living in other areas.

Removed from their community, the people of Paga Hill were left more vulnerable to the risk of disease, and to experiencing poverty. Having lived in the Paga Hill settlement for most of, if not all their lives, being thrust into a new context where they had not grown up with these threats and dangers may have left community members more vulnerable.

This vulnerability was compounded by the fact that they were not appropriately compensated for the loss of their homes and assets that were destroyed in the demolitions.

6 | WHAT PEOPLE WANT TO IMPROVE THEIR LIVING CONDITIONS

The people of Paga Hill have seen a significant decline in their living conditions from when they were living at Paga Hill. While living at Paga Hill, over 96 per cent of people interviewed had access to basic needs.

Yet following their displacement, only 5 per cent of people interviewed felt safe; 6 per cent had access to appropriate sanitation; 11 per cent had access to electricity; and 37 per cent felt that they had access to water. 68 per cent of people interviewed also believed that it was likely that and their families would be evicted again.²⁷³

Former residents of Paga Hill were asked openly 'what would you like to see happen to improve your living conditions?' This question was interpreted and answered differently in different locations. For example, at Gerehu, people emphasised the need for access to basic services, and 'most importantly, the land title'. Given the differences in the number of people interviewed at each location, overall results were therefore highly reflective of the location and situation in which people were living in.

The people of Paga Hill stated that they would like land title; access to basic services such as water and electricity; justice and compensation; peaceful and safe communities; for their homes to be rebuilt by parties responsible for destroying them; for their community to be reunited; and for the people to be given the opportunity to rebuild their lives again.

Summary of what people want to improve their living conditions

- **62 per cent of people interviewed wanted access to basic services.**
- **36 per cent of people interviewed wanted justice and compensation.**

- **27 per cent of people interviewed wanted to be provided with land title.**
- **15 per cent of people interviewed wanted safe, secure communities.**
- **8 per cent of people interviewed wanted their homes to be rebuilt by those responsible for destroying them.**

'I would like the government to keep his [word] and put in action, because the Governor promised us that he is going to get the land title and the access to the basic services but nothing has happened yet. So this is what I want to see,' said Arnold, 64.

Overall, when assessed by location, what people wanted most to improve their living conditions differed greatly.

At Gerehu, people overwhelmingly wanted access to basic services such as water and electricity.

People living at Six Mile settlement also wanted access to basic services, followed closely by justice or compensation.

Whereas for people living on the streets and living in scattered locations in and around Port Moresby, people overwhelmingly wanted to see justice and/or compensation.

Access to basic needs and services

Overall, when individuals were asked openly about what they would like to see happen to improve their living conditions, people overwhelmingly wanted access to basic needs, such as water and electricity.

62 per cent of all people surveyed (117 people) **wanted to see their basic needs met.** This reveals how dire the living conditions of people are, and how desperate people are for immediate change to improve their quality of life on a daily basis. It has been years since their displacement from Paga Hill, and they are still not experiencing access to basic

TABLE 9 WHAT PEOPLE WANT TO IMPROVE THEIR LIVING CONDITIONS

What people want	Total	Total % interviewed
Access to basic services	117	62%
Justice and compensation	69	36%
Land title	52	27%
Law and order, safety	28	15%
Homes to be rebuilt	16	8%

services, which has flow on effects for every aspect of their lives.

91 per cent of people interviewed at Gerehu emphasised that they wanted access to basic services, such as water and electricity to improve their living conditions.

29-year-old Aline said, 'I would like to see that our living conditions be improved and for our basic needs especially water and power to be delivered.' 'I would like to have a good house, proper fencing and the basic services,' said 27-year-old Edith, married with 2 children, and living at Gerehu. 'I would like the government to provide basic services such as water and electricity this is the main services that we are lacking now,' said 36-year-old Tim, living with 5 children in Gerehu. 53-year-old Lisa, a former deaconess living at Gerehu, said, 'I don't want to carry water forever, I at least want to see some changes as having a running water closer to my house, electricity, I want to have a proper house, and the land title.'

By contrast, 53 per cent of people interviewed at Six Mile wanted to see basic services. 'I would like to see our basic services being met to improve my living conditions,' said Ana, 21, who is living at Six Mile with one child. 'Road, electricity, water, will bring change to our community. Too many expenses are being spent on the bus fee to bring water home,' said Cameron, 17, living at Six Mile.

Whereas, the number of people stating that access to basic services would improve their living conditions was much lower for people living on the street (9 per cent) and at scattered locations throughout Port Moresby (12 per cent).

Justice and compensation

When asked openly about what they would like to see happen to improve their living conditions, **36 per cent of people interviewed** (69 people) **wanted justice or compensation.**

There is a very clear perception among former residents of Paga Hill that the community were not treated fairly or justly. 'I don't understand the law because the Supreme Court made a decision in our favour (the Paga people) yet the developer and the State forced evictions and the demolition,' said Sam, 27.

'My living conditions would improve if only justice take place,' said 40-year-old Ashlea, who is living on the streets.

'I'd like to see compensation for our houses being destroyed, that'll improve my life,' said 37-year-old Stella, who is living on the streets.

'I would like to see my people and families in Paga get compensation for the demolition of their houses,' said 36-year-old Andrew, who is living at Six Mile.

'I wasted lots of money to build a house in Paga, I want to see justice for Paga people so I can be compensated one way or the other,' said 57-year-old Alinda, who is living at Six Mile. 'I'd like to see us get justice, and land title from the Government, that'll improve my living condition,' said 56-year-old Rebekah, who is living at Six Mile.

55-year-old Gladys, who lives at Kaugere with a family friend, said, 'I'd like to see the

Government to compensate us for demolishing our community unlawfully. 6 years is too long, my life is not in a good condition.'

People who were living on the streets and at scattered locations throughout Port Moresby emphasised this most, (68 per cent and 84 per cent respectively), compared to Gerehu's 13 per cent of people interviewed.

Land title

When asked openly about what they would like to see happen to improve their living conditions, **27 per cent of people interviewed** (52 people) **would like to see the people being given land title.** Many saw this as 'most important' and an essential step to being able to have their other basic needs fulfilled, or to be able to re-establish their community.

'Most importantly, I want the whole community to work together to get the land title and everything will be possible. Like having access to the basic services,' said 22-year-old Harriet, living at Gerehu.

'I would like the basic services to be provided and law and order and most importantly, the land title,' said 27-year-old Edith, living at Gerehu.

'I think the only thing that will grant our stay and improve our living conditions is land title. With this we can have access to everything,' said 41-year-old Harry, living at Gerehu.

'I would like to see government and PHDC give us a land legally we can call home and live,' said 48-year-old Elisabet, living at Six Mile.

Law and order

When asked openly about what they would like to see happen to improve their living conditions, **15 per cent of people interviewed** (28 people) **wanted safe, peaceful communities or law and order.** This reveals the threat that people feel of violence and conflict in their lives, and the need for peace and security. 96 per cent of all people interviewed were concerned about security.

'I want to see that water especially is provided, and for people to feel safe and have a good life,' said 22-year-old Tenilla, who is living at Gerehu.

'I would like to see that we have a peaceful community and for basic needs to be provided,' said 56-year-old Linda, living at Gerehu.

Rebuild homes

A further 8 per cent of people interviewed (16 people) specifically wanted their homes to be rebuilt by those who were responsible for destroying them.

Reunite community

Many respondents also sought re-establishment of their community, and for the former residents of Paga Hill to be together again.

'I miss my Paga Hill community... My whole family are dispersed throughout the city,' said 25-year-old Louis.

William, who is living at Six Mile said: 'currently we have been dispersed and there is no sense of community. I would like to see the residents of Paga Hill resettled in one location. So that we can be able to work together and rebuild our lives.'

'Rebuild our lives'

The resilience of the Paga Hill people, and the strength of their community, was also shown through their desire to 'rebuild their lives'.

'I love Paga Hill and the people, we were like family and I wish to see us getting compensation from the Government. We can rebuild our lives because we have many skilful people of various expertise,' said Frances, 35. 'I'd like to see my people get compensation from Government, PHDC, and most significant is the land title. By then I'm sure we will rebuild our lives back up from scraps,' said Henry, 58. 'I'd like to see Paga people being compensated by the government for the damages that they've caused to Paga people. I can rebuild my life, and at least give us land title,' said Cameron, 30. 'I would like to see Justice for my Paga Hill Community. That will improve my current living conditions because we can rebuild our houses in one particular area where we can call Paga Hill,' said Louis, 25.

Helen, 37, now living at Six Mile said, 'I would like to see our people get compensated for their damages caused by NCD and State so our leaders can improve our current living conditions. At least we can have an area we call Paga Hill and rebuild what we lost.'

TABLE 10 WHAT PEOPLE WANT TO IMPROVE THEIR LIVING CONDITIONS, BY LOCATION

Means to improve living conditions	Six Mile	Gerehu	On the streets	Scattered locations	Total	% of people interviewed
Access to basic services	8	102	3	4	117	62%
Land title	5	33	6	8	52	27%
Justice and/or compensation	6	15 (for the community to be 'recognised' or 'remembered')	21	27	69	36%
Homes to be rebuilt	1	1	8	6	16	8%
Law and order, safety	0	28	0	0	28	15%

Where the thriving community of Paga Hill once lived is now a road. Photo: Brynn O'Brien





A large painting created by the Paga Hill community telling their story and fight to save their home. Photo: Allan Mogerema

'The Government doesn't have respect to the citizens of PNG and the Law. They treat us like prisoners, refugees, in our land. The Government manipulated the judicial system and makes lots of decisions in Government's favour. If this changes I think our people's lives will be alright.'

INDIVIDUAL LIVING AT SIX MILE

"It's very sad to see our country has a weak justice system.'

INDIVIDUAL LIVING AT A SETTLEMENT IN PORT MORESBY

7 | WHY DOES IT MATTER?

The story of Paga Hill is significant on a national and international level, as settlements in Port Moresby continue to grow, and global trends continue toward increased urbanisation and denser populations. This means that many more communities will also be at risk of displacement.

7.1 THE NATIONAL SIGNIFICANCE OF PAGA HILL

Paga Hill is nationally significant as it is but one example of many settlements in Port Moresby, and more broadly within PNG, that have faced, or face the threat of, forced eviction.

While 'calls for the removal of illegal squatter and informal settlements are commonplace in Port Moresby and throughout PNG,²⁷⁴ it is clear that informal settlements are a key feature of the urban landscape in PNG.

Port Moresby, the nation's and the Pacific's largest city,²⁷⁵ nationally contains the largest numbers of informal settlements,²⁷⁶ and it has been estimated that already upto 50 per cent of the urban population live in informal settlements.²⁷⁷

In 2000, there were only 55 settlements in Port Moresby.²⁷⁸ However, by 2008, it was estimated that 45 per cent of Port Moresby's population were living in 99 settlements, of which 20 were planned and 79 were unplanned settlements.²⁷⁹ Some researchers, such as those at the National Research Institute of PNG, have suggested that the number of new settlements being added each year in Port Moresby is as high as 20.²⁸⁰

Informal settlements have sprung up in the face of a 'prohibitive formal housing sector,²⁸¹ and these 'intricately governed neighbourhoods' provide a 'critical living space for low wage earners in the capital'.²⁸² The demographic of residents in settlements is also changing, as 'middle and higher income workers move into the settlements due to shortages of formal housing'.²⁸³

In Port Moresby, informal settlements are located on both State and customary land, with approximately 40 per cent being customary and 60 per cent being freehold or State land.²⁸⁴ Customary land in Port Moresby is owned by the Motu Koita clans, and in 2006 accounted for some 37 settlements. Paul Jones describes that 'despite the insecurity and informal status of land agreements, land transactions by customary owners are increasingly common as they 'sell' the use of their customary land for attractive cash payments'²⁸⁵.

However, despite being home to approximately half of the city's population, settlements continue to have limited tenure rights. 'While the courts are reluctant to define such communities as illegal, especially when evidence exists of landowner acquiescence to the arrangement, nonetheless informal settlements have few enforceable rights when confronted with eviction.'²⁸⁶ State sanctioned eviction and the demolition of settlements is therefore 'an important livelihood risk faced by Port Moresby's settlement communities'.²⁸⁷

Paga Hill Estate's own website recognizes the challenge of land acquisition into the future, noting that 'the scarcity of state land means that informal settlement communities will increasingly need to be relocated due to development projects'.²⁸⁸

As Busa Jeremiah Wenogo writes, 'the debris-ridden but otherwise bare landscape of Paga Hill, overlooking Ela Beach, is a constant reminder of the fate that awaits many urban settlers. Yet the frontier between settlements and government or customary land keeps expanding, with more land taken up by settlers'.²⁸⁹

As a generally high cost of living continues in Port Moresby, along with its rapidly growing population, and the high cost of rental accommodation it is likely that:

'Rather than remaining a peripheral part of the socio-landscape, settlement communities will become the norm. Residents of Port Moresby's settlements are easily among the poorest and most vulnerable in PNG. Their vulnerability is exacerbated by their need for

cash to meet daily needs, particularly food.

What's at stake if these dilemmas are not embraced in the urban development discourse in PNG is far greater than a makeshift shelter. In the absence of all else—State or otherwise—are the threads of relationships between kin, friends and community leaders that are woven to form the fabric that keeps these communities together. This fabric is too often criticised and undermined in the role that it plays in contributing to the NCD. Without it, Port Moresby—notorious as one of the most dangerous cities in the world—would be a far worse place to live.

Every time a community is bulldozed this social fabric—this essence of social protection—is ripped into pieces by the very State that communities look to for support. Its repair and reconstruction is often left to communities to worry about.²⁹⁰

As Paul Jones writes, 'evictions, settlement neglect and calls for settlers to return to their village and rural lifestyles, are all short-term reactions that do not address or reflect an understanding of the root causes of settlement growth'²⁹¹.

Until there is a fundamental change in public, legal and governmental attitudes towards settlements, the situation faced by the community of Paga Hill will continue to be repeated in Port Moresby, and more broadly around PNG. This has already occurred to thousands of people since the demolition of Paga Hill.

7.2 OTHER EVICTIONS IN PNG

Other settlements in Papua New Guinea are currently facing or have faced the prospect of a similar fate to those from Paga Hill.

Settlements face the threat of being moved by both large-scale development projects, and the building of new infrastructure such as major roads. Below are just some examples of settlements that have experienced, or been threatened by, forced eviction, in Port Moresby, Madang and Lae.

Port Moresby

The examples below, from 2013 to 2019, indicate that, at a very conservative estimate, more than 23,000 people have been threatened by or expe-

rienced forced eviction in Port Moresby alone (or it could be as much as double this figure).²⁹² This is in addition to the 3,000 people evicted from Paga Hill.

- In 2019, around 2,000 tenants from land formerly owned by the National Housing Corporation at Gordon, faced the imminent threat of eviction and demolition, when two excavators and a bulldozer arrived. Deputy Prime Minister Mr Davis Steven put the eviction off after questioning the legality of the process. He also directed Acting Police Commissioner Francis Tokua to stop the involvement of police in the dispute over the land.²⁹³ Tenants' spokesman Mr Steven Mune said that they had been fighting their case in court for over 11 years. Electricity and water supply into the flats had been cut off in 2015.²⁹⁴
- In 2019, approximately 100 families were evicted from Gerehu Stage 1, called 'Red Hills', less than 24 hours after notice of eviction was given by Police, and not in writing.²⁹⁵ The eviction of Red Hills occurred with the Royal PNG Constabulary receiving two Waigini District Court Orders issued on the same date with different instructions; one halting the eviction, the other instructing the eviction to continue.²⁹⁶ Police were attacked and responded by burning 'shacks that had been built to house different families, burning what they had left'.²⁹⁷
- In June 2017, approximately 200 people were evicted at the ATS settlement, despite having paid the landowners for the land. Media reports in February 2018 asserted that they were taking legal action against the state for breach of their human rights.²⁹⁸
- The Morata Settlement is one of the biggest settlements in the National Capital District; most of the workforce in both the public service and private sector reside in this settlement.²⁹⁹ In November 2016, approximately 11,000 settlers were given a verbal eviction notice to evict within days from the Morata settlement. NCD Governor Powes Parkop stated that a private developer obtained a court order to evict the settlers.³⁰⁰ Chairman of the Morata New Block Community and Welfare Association, Mr Romny Tengere,

said that they had been involved in legal battles with the developer, 6 Estate, since July 2013 and that their case went through 'all levels of court' and was with the Land Titles Commission.³⁰¹

- In 2016, more than 3,000 settlers from Morata One,³⁰² who had been living there for 10 to 20 years, were evicted by the NCDC, to make way for a new multi-million Kina road from Gerehu to Waigani.³⁰³ The settlers had been supported in their desire to stay by the customary owners of Kaevaga, who had sold their land to the settlers. Community leader Eric Steven said, 'There was no eviction notice and more than 120 houses were demolished, which included rent houses and about 3,500 people are displaced. We are helpless.'³⁰⁴ Mr Steven also said in December 2016 that the NCDC had failed to allocate new land or pay them compensation, prior to destroying their homes and properties and forcefully evicting them.³⁰⁵ In December 2016, NCD Governor Powes Parkop confirmed that the people would be relocated in due time.³⁰⁶ As at February 2017, they had not received compensation or resettlement.³⁰⁷
- In August 2016, settlers living in 5 settlement zones at Morata and Wildlife, which has a combined total population of 30,000 people, demanded an explanation from government authorities after police entered the settlement to evict the settlers, without notice. The settlements lie within 1,000 acres of land currently under development by Net Holdings Investment Limited. Four permanent houses worth an estimated K200,000 to K300,000 (approximately AUD\$90,423 to AUD\$135,635) were destroyed, and a youth was shot dead. Community representative, Mr Luke Karepa, emphasised that the law stated that a 60-day eviction notice must be given before eviction can take place. 'The people are frustrated because without a formal eviction order, the police and developer conducted an illegal eviction. We were given the land portion 3323 and portion 3608 by the NCD Physical Planning but are yet to be given the land titles. We demand that the government forfeit the titles back to

the settlers so that these settlements can be turned into suburbs where services like electricity and water can be brought in.'³⁰⁸

- In July 2016, settlers were evicted from Eight Mile Settlement in Moresby East, and Kaugere Settlement (Badu ILG) in Moresby South.³⁰⁹
- In April 2016, *LoopPNG* reported that settlers along the Dogura Road at Six Mile Settlement issued a plea to the government to assist them by allocating some land for their relocation.³¹⁰ Approximately 30 homes had been demolished at the time of the article's publication.
- In March 2013, police bulldozed what was left of the settlement near the Moresby Art Theatre. More than 4,000 people from 16 ethnicities living on the 15-hectare strip of land were affected. According to the settlers, 23 trade stores and several permanent houses, worth more than K72 million (more than \$AUD32.55 million) were bulldozed.³¹¹
- In 2013, 3,000 people living at the ATS settlement were facing the threat of their homes being bulldozed to make way for a new refugee processing centre in Port Moresby.³¹² Mr Rex Dagi, chairman of the ATS Oro Community Development Association, said 'we are human beings just like everyone else. You cannot remove us from our place like dogs. We will fight for our rights.'³¹³

Madang

The examples below indicate that from 2016 to 2020, at least ten settlements were threatened by or experienced forced eviction.

- In February 2020, it was announced that the eviction of settlers at Nagada in Madang from land belonging to the Evangelical Lutheran Church of PNG would go ahead once funding is available. Approximately 3,000 people live at Nagada.³¹⁴
- In April 2018, settlers at Handy Mart settlement in Madang, the majority of whom had lived there most of their lives, were forcibly evicted. One resident died during the eviction. The community were allegedly given only 3 hours notice of the eviction.³¹⁵

- In 2018, Madang district commenced social mapping to address the 'escalating urban drift and lawlessness' that has plagued the town.³¹⁶ A case file will be created for each of the settlers and 'they will be assisted in their repatriation out of the province'.³¹⁷
- In 2016, at least eight settlements were subject to eviction notices.³¹⁸

Lae

The examples below indicate that in Lae, from 2014 to 2018, at least seven settlements were evicted.

In September 2018, media reports asserted that several settlements in Lae City would be removed due to a court ordered eviction. This included a banana blocks settlement in Lae city; a settlement adjacent to the Bumbu Police barracks and Bumbu River; a settlement adjacent to the Lae Polytech Institute and the Mt Lunaman settlements in Lae would also be removed.³¹⁹ In 2018, there were also several reports of evictions of families in Lae.³²⁰

In 2017, the Housing and Urbanisation Minister, Mr John Kaupa, said that the National Housing Corporation's eviction of families from their homes to recover its properties in Law was illegal. He said the eviction exercise was not authorised by the NHC management, or by his office.³²¹ Officers from the NHC were subsequently suspended.³²²

In 2016, a Lae councillor supported calls by the Metropolitan Superintendent for the removal of illegal settlements, following problems at Banana Block in the heart of Lae city.³²³

In February 2014, people were evicted on the side of Lae's Bumbu River to allow for the expansion of the National Polytechnic Institute of PNG. In March 2014, a settlement along the other side of the river was evicted. The following month, April 2014, a community another 200 metres away was also evicted.³²⁴

7.3 THE REGIONAL AND GLOBAL SIGNIFICANCE OF PAGA HILL

The story of Paga Hill is also regional in significance. In the Pacific, it has been estimated that around 26 per cent of the region's population live in urban areas.³²⁵ In nearly all Pacific Island nations, rates of urban growth outstrip the growth rate of the national population.³²⁶

Papua New Guinea's population is still predominantly rural. In 2017, only 13.1 per cent of the population - 1.08 million people - lived in cities, compared with 7.17 million living in rural areas. When ranked with other nations in the Pacific on the proportion of people living in urban areas, PNG is among the lowest.³²⁷ Yet it has been predicted that this will change, and by 2030, one-third of PNG's population will be living in urban centres.³²⁸ Already, PNG contains 'the highest number of urban residents and the largest number of cities and towns in the region'³²⁹. Therefore, the trends seen in PNG already can be extrapolated to apply in the Pacific.

In the Pacific, urbanisation has been 'strongly led by population growth and rural-urban migration'.³³⁰ As this has grown, informal settlements have 'blossomed as homes'³³¹ and 'informal or squatter settlements now cater for the majority of population growth occurring in Pacific towns and cities'.³³² Settlements are now a permanent feature of the fabric of all Pacific towns and cities.³³³

Paul Jones writes that 'while this has occurred to varying degrees in all Pacific Island nations, it is most pronounced in Melanesia where informal settlements are in effect social enclaves linked by strong ethnic and kinship connections to rural areas.'³³⁴ People 'undertake their day-to-day activities like rural villagers within an urban setting'³³⁵ and subsequently, 'informal settlements take on the appearance and functionality of 'rural villages in the city'³³⁶.

Paul Jones writes that as a result, Pacific towns and cities are now comprised of 'permanent and semi-permanent villages, comprising informal settlements and traditional villages'³³⁷, and 'planned residential areas with housing of various standards'³³⁸.

In 2008, it was estimated that in the Solomon Islands, 35 per cent of Honiara's population and in Fiji and PNG, 45 per cent of the population of Suva and Port Moresby respectively, were living in informal settlements.³³⁹

While thousands of people in PNG have faced the threat of forced eviction, it is anticipated that this is a trend will be shared among PNG's Pacific neighbours. It is also anticipated that this is a trend that will extend globally.

On a global scale, urban populations are surpassing rural population growth in many low to middle income nations, with more of a nation's population based in cities.

The UN Prospect of Urbanisation report, released by the Population Division of the UN Department of Economic and Social Affairs (UN DESA), found that in 2018, more than half of the world's population was living in urban areas (55 per cent), a proportion that is anticipated to increase to 68 per cent by 2050.³⁴⁰

Projections by UN DESA reveal that an additional 2.5 billion people could be living in urban areas by 2050, with close to 90 per cent of this increase taking place in Asia and Africa. This is predicted to occur due to urbanisation, the gradual movement of the population from rural to urban areas and growth of the world's population.³⁴¹

UN Habitat notes that 'urban growth has frequently been characterised by the informal and/or illegal nature of human settlements... this urban growth has been strongly associated with greater poverty and slum expansion'.³⁴²

While the proportion of urban populations living in slums declined from 39 per cent to 32 per cent between 2000 and 2010, UN Habitat estimates that the world slum population will reach 889 million by 2020.

Granting land title and secure land tenure to informal settlements is a possible route forward to ensure that individuals and communities have greater security, and are able to flourish as communities without risk of eviction. For example, in India, a slum land rights project was rolled out, with 2,000 people being given land tenure in 2018.³⁴³

'The Government must recognize and help the people relocated because we all are Papua New Guineans and our rights must be addressed.'

LEO, 27

'I would like to see less people who talk too much and to do something productive to improve our standard of living.'

SAMUEL, 18

'It's very unfair and against our custom and human rights law to destroy people's lives and dump them elsewhere. I'm not educated, I dropped out of primary school, but I understand this issue.'

LUCY, 25, FORMER RESIDENT OF PAGA HILL

'The Government has moved us so I would like to see that they must recognize and improve our living condition.'

LEAH, 57

'Justice must take place.'

IGNATIUS, 20



8 | RESPONSIBILITIES AND RECOMMENDATIONS

The community of Paga Hill were evicted from land that they had occupied for generations.

They were evicted following a protracted process whereby rezoning of the land on which they lived, from national park to being eligible for an urban development lease, was questionable. Further, the lease granted to a developer was later found by a parliamentary committee to be illegally issued and that necessary conditions were not complied with. Further, when legal proceedings regarding the validity of eviction of the community were underway, demolitions were commenced in violation of court orders. Additional land at Paga Hill previously not part of the lease, appears to have been surveyed in secret and leased to a subsidiary of the developer, again in questionable circumstances.

The community at Paga Hill were promised land title and access to basic services such as water and electricity upon relocation, which to this day they have not received. For years, they have lacked adequate access to basic needs, violation of their rights and faced the threat of further eviction. They have never been appropriately compensated for the destruction of their homes, assets, shopgoods and possessions, and have experienced extensive disruption and trauma, including the deaths of community members. These violations of their rights have occurred as citizens in their own nation. This requires remedy.

To this day, the proposed development, the Paga Hill Estate, the rationale given for the razing of their homes and community, has never been built.

The primary responsibility for what happened to the Paga Hill community lies with the Paga Hill Development Company (PHDC) and the National Capital District Commission (NCDC). Paga Hill Development Company sought to have the community forcibly evicted through court action in order to progress with its development. The police, appar-

ently acting under the direction of the NCDC, carried out these evictions.

Before assigning recommendations to the NCDC, PHDC, and to other actors, it is pertinent to consider three sets of statutes and guidelines:

- International and human rights law: specifically those laws that related to the right to adequate housing and forced evictions
- The UN Guidelines on Evictions
- The UN Guiding Principles on Business and Human Rights (UNGPs)

The first two speak to the state's responsibility in the Paga Hill case; the third speaks to the responsibility of the companies that were involved.

8.1 HUMAN RIGHTS AND INTERNATIONAL LAW

Papua New Guinea became a member of the United Nations in 1975. 'The United Nations in PNG is represented by twenty resident agencies, non-resident agencies, funds, and programmes, this is a partnership agreement between the United Nations system and the Government of PNG.'

Papua New Guinea has ratified the following treaties (but not their Optional or Additional Protocols) on matters concerning human rights:

- International Covenant on Civil and Political Rights (ICCPR);
- International Covenant on Economic, Social and Cultural Rights (ICESCR);
- Convention on the Elimination of all forms of Racial Discrimination (CERD); and
- Convention on the Elimination of all forms of Discrimination Against Women (CEDAW);
- Convention on the Rights of the Child (CROC);
- Convention on the Rights of Persons with Disabilities (CRPD).

Obligations of nations to refrain from, and protect against forced evictions from homes and land

arise from the Universal Declaration of Human Rights, Article 11(1) of the International Covenant on Economic, Social and Cultural Rights (ICESCR), Article 27(3) of the Convention on the Rights of the Child, Article 14(2)(h) of the Convention on the Elimination of All Forms of Discrimination against Women, and Article 5(e) of the International Convention on the Elimination of all Forms of Racial Discrimination.

Forced evictions constitute gross violations of a range of internationally recognized human rights, including the rights to adequate housing, food, water, health, education, work, security of the person, security of the home, freedom from cruel, inhuman and degrading treatment, and freedom of movement.

The forced eviction of people at Paga Hill, and their subsequent disparate relocation around PNG in varying states of living conditions, violates these rights.

While living at Paga Hill, community members experienced the fulfilment of many rights laid out in these instruments; shelter and housing; security and safety; running water and sanitation; health; education for children and young people; employment; food; and religious expression through attending church.

Following the demolition and forced eviction of their community, community members of Paga Hill have experienced violations of these rights. Further, they have received no restitution or appropriate remedy for these violations, or for destruction of their property and assets.

8.1.1 GENERAL COMMENT NO. 7 ON THE RIGHT TO ADEQUATE HOUSING AND FORCED EVICTIONS

In 1997, the UN Committee on Economic, Social and Cultural Rights released General Comment No. 7 on the right to adequate housing, with a special focus on forced evictions.

The Committee defined 'forced evictions' as 'the permanent or temporary removal against their will of individuals, families and/or communities from the homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection'.

The Committee noted that forced evictions are 'widespread and affect persons in both developed and developing countries', and that forced evictions may

occur in the context of armed conflict, violence, or in the name of development – 'in conflict over land rights, development and infrastructure projects'.

The Committee identified that:

- Forced evictions frequently violate other human rights;
- States should take all appropriate means to promote the right to housing, including passing legislation;
- Appropriate procedural protection and due process should be applied;
- Persons affected should have access to effective remedy, which is also appropriately enforced; and
- People should not be rendered homeless.

Forced evictions violate other human rights

The Committee identified that 'owing to the interrelationship and interdependency which exist among all human rights, forced evictions frequently violate other human rights'. This includes social, economic and cultural rights under the Covenant, as well as civil and political rights.

The Committee further identified that 'women, children, youth, older persons, indigenous people, ethnic and other minorities, and other vulnerable individuals and groups all suffer disproportionately from the practice of forced eviction'.

Obligations of State parties to take 'all appropriate means' and implement legislative measures

General Comment No. 7 identifies that state obligations spring from Article 11(1) and Article 2(1) of the ICESCR which obliges states to take 'all appropriate means' to promote the right to adequate housing.

The Committee identified that this includes that 'the State itself must refrain from forced evictions and ensure that the law is enforced against its agents or third parties who carry out forced evictions'.

Using 'all appropriate means' also includes adopting legislative measures to promote the rights under the Covenant.

The Committee identified that 'it is clear that legislation against forced evictions is an essential basis upon which to build a system of effective protection'.

Such legislation should include measures that:

- (a) provide the greatest possible security of tenure to occupiers of houses and land;
- (b) conform to the Covenant; and
- (c) are designed to control strictly the circumstances under which evictions may be carried out.

The legislation must also 'apply to all agents acting under the authority of the State or who are accountable to it'.

State parties must also 'ensure that legislative and other measures are adequate to prevent and, if appropriate, punish forced evictions carried out, without appropriate safeguards, by private persons or bodies'.

The Committee stated that State parties should therefore review relevant legislation and policies to ensure that they are compatible with the obligations arising from the right to adequate housing and subsequently repeal or amend any legislation or policies that are inconsistent with these requirements.

Appropriate procedural protection and due process

The Committee also addressed the need for consultation and the provision of remedies, which is particularly relevant in relation to Paga Hill. The Committee clarified that:

'State parties shall ensure, prior to carrying out any evictions, and particularly those involving large groups, that all feasible alternatives are explored in consultation with the affected persons, with a view to avoiding, or at least minimizing, the need to use force.'

The Committee emphasised that 'appropriate procedural protection and due process are essential aspects of all human rights but are especially pertinent in relation to a matter such as forced evictions which directly invokes a large number of the rights recognized in both the International Covenants on Human Rights'.

The Committee considered that appropriate procedural protections that should be applied in relation to forced evictions, included:

- (a) Opportunity for genuine consultation with those affected;
- (b) Adequate and reasonable notice for all affected persons prior to the scheduled date of evictions;

- (c) Information on the proposed evictions;
- (d) Government officials or their representatives to be present during an eviction;
- (e) All persons carrying out the eviction to be properly identified;
- (f) Evictions not to take place in particularly bad weather or at night unless the affected person consent otherwise;
- (g) Provision of legal remedies; and
- (h) Provision where possible, of legal aid to persons to apply to the courts.

Provision of effective remedy

The Committee further identified that an effective remedy should be provided to persons affected by forced evictions and appropriately enforced. This is in keeping with State parties' obligations under article 2(3) of the ICCPR.

Legal remedies or procedures should be provided to those who are affected by eviction orders. States parties shall also see to it that all the individuals concerned have a right to adequate compensation for any property, both personal and real, which is affected.'

People should not be rendered homeless

The Committee further stated that 'evictions should not result in individuals being rendered homeless or vulnerable to the violation of other human rights. Where those affected are unable to provide for themselves, the State party must take all appropriate measures, to the maximum of its available resources, to ensure that adequate alternative housing, resettlement or access to productive land, as the case may be, is available.'

At Paga Hill, it appears that these provisions were not adequately followed.

8.1.2 THE UN GUIDELINES ON EVICTIONS

In 2007, the UN Human Rights Council formally acknowledged the Basic Principles and Guidelines on Development-Based Evictions and Displacement ('UN Guidelines on Evictions').

The Guidelines acknowledged that forced evictions constitute a distinct phenomenon under international law, and are often linked to the absence of legally

secure tenure, which constitutes an essential element of the right to adequate housing.

The Guidelines state that State parties must:

- ensure protection against forced evictions;
- ensure that forced evictions only occur in exceptional circumstances;
- ensure that adequate and effective legal or other appropriate remedies are available to any person claiming that their right to protection against forced evictions has been violated or is under threat of violation;
- adopt legislative and policy measures prohibiting the execution of evictions that are not in conformity with their international human rights obligations. This also includes an obligation to 'refrain, to the maximum extent possible, from claiming or confiscating housing or land, and in particular when such action does not contribute to the enjoyment of human rights';
- apply 'appropriate civil or criminal penalties against any public or private person or entity within its jurisdiction that carries out evictions in a manner not fully consistent with applicable law and international human rights standards;
- ensure that 'adequate and effective legal or other appropriate remedies are available to all those who undergo, remain vulnerable to, or defend against forced evictions'; and
- must formulate and conduct their international policies and activities in compliance with their human rights obligations.

The Guidelines laid down stringent criteria regarding any eviction – they must be conducted lawfully; in accordance with international human rights law; undertaken solely for the purpose of promoting the general welfare; reasonable and proportional; regulated so as to ensure full and fair compensation and rehabilitation; and carried out in accordance with the present guidelines.

The Guidelines also enumerated detailed steps to be taken by States to protect human rights prior to, during, and after evictions. Prior to displacement, the Guidelines called for comprehensive 'eviction-impact assessments'. After displacement, the Guidelines required provision of compensation, restitution and adequate rehabilitation consistent with human rights standards.

At Paga Hill, no compensation or restitution was provided for destruction of property and assets, trauma or economic loss. Similarly, resettlement options provided at Six Mile and Gerehu have lacked access to basic services such as water and electricity for a number of years.

Evictions have also not occurred in 'exceptional circumstances', as thousands of people throughout PNG have evicted in recent years.

In contrast to PNG's international obligations, the State of PNG has not implemented adequate legislative measures to promote the right to housing, or to provide enforceable protection to the rights of its citizens from forced eviction.

8.1.3 THE UN GUIDING PRINCIPLES ON BUSINESS AND HUMAN RIGHTS

The UN Guiding Principles and Business and Human Rights (UNGPs) outline the behaviour that businesses should engage in in order to prevent association with or culpability for human rights violations that happen in connection with their business activities.

Principle 19 of the UNGPs has guidance on how a business should respond when a business has not directly contributed to an adverse human rights impact, but that impact is linked to its operations:

'In order to prevent and mitigate adverse human rights impacts, business enterprises should integrate the findings from their impact assessments across relevant internal functions and processes, and take appropriate action.'

'[...] Where a business enterprise has not contributed to an adverse human rights impact, but that impact is nevertheless directly linked to its operations, products or services by its business relationship with another entity, the situation is more complex. Among the factors that will enter into the determination of the appropriate action in such situations are the enterprise's leverage over the entity concerned, how crucial the relationship is to the enterprise, the severity of the abuse, and whether terminating the relationship with the entity itself would have adverse human rights consequences.'

The more complex the situation and its implications for human rights, the stronger is the case for the enterprise to draw on inde-

pendent expert advice in deciding how to respond.

If the business enterprise has leverage to prevent or mitigate the adverse impact, it should exercise it. And if it lacks leverage there may be ways for the enterprise to increase it. Leverage may be increased by, for example, offering capacity-building or other incentives to the related entity, or collaborating with other actors.

There are situations in which the enterprise lacks the leverage to prevent or mitigate adverse impacts and is unable to increase its leverage. Here, the enterprise should consider ending the relationship, taking into account credible assessments of potential adverse human rights impacts of doing so.

Where the relationship is “crucial” to the enterprise, ending it raises further challenges. A relationship could be deemed as crucial if it provides a product or service that is essential to the enterprise’s business, and for which no reasonable alternative source exists. Here the severity of the adverse human rights impact must also be considered: the more severe the abuse, the more quickly the enterprise will need to see change before it takes a decision on whether it should end the relationship. In any case, for as long as the abuse continues and the enterprise remains in the relationship, it should be able to demonstrate its own ongoing efforts to mitigate the impact and be prepared to accept any consequences – reputational, financial or legal – of the continuing connection.’

This report does not claim that Curtain Bros was responsible for either the first demolition, which it was not present at, or the second demolition, where it was present. Curtain Bros has acknowledged involvement in moving evicted residents to Gerehu after the second demolition. A letter to Jubilee Australia from Lawyers representing Curtain Bros says:

‘The NCDC contract with our client for the Paga Hill Point Road project obliged our client to assist settlers with the transportation of their possessions to a new site at Gerehu and to provide cash payments to those settlers who requested financial assistance for rebuilding activities at Gerehu.’

Assuming that this was the extent of Curtain Bros’ involvement with the Paga Hill evictions, how do we assess the complicity of the company for what has happened to Paga Hill residents?

Reports of the alleged human rights violations occurring at the first demolition of May 2012 were widely reported. Warning bells should have gone off for the company, in allowing itself to become involved with a contract that related to Paga Hill, and they should have gone off long before July 2014, by which time we know that the company was actively involved with the ring road project. The company would have soon become aware, therefore, that it was allowing itself to become involved in a project that had involved serious allegations of potential breaches of human rights. This awareness would have only increased in the weeks and months leading up to the second demolition/eviction.

How should Curtain Bros have responded? According to the commentary on UNGP principle 19 quoted above, Curtain Bros had a responsibility either to use its leverage to ‘prevent or mitigate the adverse human rights impact’ i.e the second demolition and subsequent eviction. Or, if it lacked the leverage, the principles say, Curtain Bros should have ended its relationship with the client (in this case, the NCDC). Curtain Bros did not do the latter and there is no evidence that it did the former either.

In summary, Curtain Bros may not have been directly responsible for these human rights violations, but as a company, its behaviour in turning a blind eye to the problems put it in a position to benefit financially from them. Ethical corporate behaviour must mandate that a company should not allow itself to work on the project in which clear human rights violations have taken place.

8.2 RECOMMENDATIONS

8.2.1 RECOMMENDATIONS TO THE NATIONAL CAPITAL DISTRICT COMMISSION

In keeping with former representations that were made to the Paga Hill community that they would be provided land title and basic services on resettlement, we make the following recommendations.

Gerehu

Allocate security of tenure on an individual household basis as a matter of priority

We recommend that the National Capital District Commission, along with the Lands Department, to work together, with the customary owners of '8th Street' in Gerehu (who are located at Stage 7), to continue the process which has already begun, to promptly allocate security of tenure on an individual household basis to families from Paga Hill at 8th Street, Gerehu, as was repeatedly promised by NCDC officials to the community. We recommend that this should occur within 12 months of the date of publication of this report.

We recommend that the NCDC work with the former Paga Hill community members living at 8th Street to determine how land allocations will work.

Create appropriate infrastructure

We recommend that the NCDC take immediate steps to create appropriate infrastructure for running water, electricity, sewerage, and ensure that they are appropriately maintained at 8th Street, Gerehu, with such connections to be established within 12 months of the date of publication of this report, in consultation with the community.

Six Mile (Tagua)

Begin a process of zoning at Six Mile (Tagua)

We recommend that the NCDC, along with the Lands Department, to work together, with the customary owners, at Six Mile, to begin a process of zoning at Six Mile (Tagua) in order to provide security of tenure for the Paga Hill community.

Security of tenure to be allotted on an individual basis

We recommend that NCDC promptly negotiate an arrangement wherein people who were formerly living at Paga Hill are granted security of tenure on an individual basis at Six Mile (Tagua). We recommend that this should occur within 12 months of date of publication of this report.

Appropriate funding of infrastructure at Six Mile (Tagua)

We recommend that PHDC and NCDC contribute to a fund that the NCDC will administer to improve toilet and sewerage facilities at Six Mile (Tagua), install appropriate and improved water services and electricity.

We recommend that the NCDC, in consultation with the community, take immediate steps to create appropriate infrastructure for accessing water, and toilet and sewerage systems, and to ensure that they are appropriately maintained at Six Mile (Tagua), with such connections to be established within 12 months of date of publication of this report.

Dispersed community

We recommend that the NCDC work with leaders of the Paga Hill community to identify former members of the community who are living on the streets or in informal accommodation.

We recommend that the NCDC apportion land with secure tenure and services at 8th Street, Gerehu, or alternatively at a new plot of land, to provide for members of the Paga Hill community who have been otherwise dispersed.

Compensation

We recommend that the NCDC provide all households living at Paga Hill who had their semi-permanent homes and permanent homes and assets destroyed with appropriate remedy, including compensation.

Community

Many members of the Paga Hill community have expressed the desire for community members to be reunited in one place. We have consulted with the community and many have expressed their desire to be reunited.

8.2.2 RECOMMENDATIONS TO THE PAGA HILL DEVELOPMENT COMPANY

Provide appropriate funding for infrastructure at Six Mile

We recommend that the Paga Hill Development Company, as a matter of priority, contribute to a fund that the NCDC will administer, to fund the development of improved water, electricity, toilet and sewerage infrastructure at Six Mile. These facilities should all be established as a matter of priority within 12 months of date of publication of this report.

Advocate for land tenure at Six Mile

We recommend that PHDC use all appropriate means to advocate to the NCDC about the need to

provide security of tenure at Six Mile.

Compensation

We recommend that the PHDC should ensure that all households formerly living at Paga Hill who had their semi-permanent homes, permanent homes and assets destroyed are provided with appropriate remedy, including compensation.

8.2.3 RECOMMENDATIONS TO CURTAIN BROS

Compensation

We recommend that Curtain Bros. Group should use whatever leverage or influence they may have so that all households formerly living at Paga Hill who had their semi-permanent homes and permanent homes and assets destroyed should be provided with appropriate remedy, including compensation.

Human rights due diligence

We recommend that Curtain Bros. Group should develop and implement appropriate human rights due diligence policies in relation to future projects, and publicly commit to adhering to them.

8.2.4 RECOMMENDATIONS TO THE GOVERNMENT OF PAPUA NEW GUINEA

We make the following recommendation to the PNG Government, in consideration of its obligations under international human rights law.

Influence the NCDC to commit to the above recommendations

We recommend that the Government of Papua New Guinea exert its influence to ensure that the NCDC commits to the recommendations we have made above.

Legislate to incorporate core elements of the UN Guidelines on Forced Evictions and General Comment No. 7 on the right to housing and forced evictions

We recommend that the Government of Papua New Guinea relevantly review and draft legislation that implements key elements of the UN Guidelines on Forced Evictions and General Comment No. 7 on the right to housing and forced evictions into domestic law, particularly around pre-eviction planning, compensation and restitution.

Review relevant legislation to ensure consistency with the International Covenant on Economic, Social and Cultural Rights

We recommend that in keeping with its obligations under the ICESCR, that the Government of Papua New Guinea review relevant legislation and policies to ensure that they are compatible with its obligations arising from the right to housing, and relevantly repeal, amend or implement any legislation or policies that are inconsistent with its obligations under the ICESCR, CROC, CEDAW and ICCPR.

Strengthen civil and criminal penalties surrounding forced evictions

We recommend that the Government of Papua New Guinea strengthen legislative penalties, both civil and criminal in nature, that may be imposed on companies and government authorities, for circumstances in which forced evictions occur on land on which they have a significant interest, that do not comply with appropriate legislative procedures and processes.

Compensation

We recommend that all households who were living at Paga Hill who had their semi-permanent homes and permanent homes and assets destroyed should be appropriately compensated.

8.2.5 RECOMMENDATIONS TO THE AUSTRALIAN GOVERNMENT

We support the Human Rights Law Centre in its recommendation that the Australian government ‘improve oversight, monitoring and access to justice in Australia for communities harmed by the operations or activities of Australian companies overseas, and introduce mandatory human rights and environmental due diligence obligations for large Australian companies and those operating in high risk locations and sectors’.

CONCLUSION

The Paga Hill Estate was primed to be 'the future of Port Moresby,' an 'unrivalled development that will transform the look and feel of the nation's capital'.³⁴⁴

A four-lane ring road runs around the foreshore. As at June 2020, construction had not commenced for the Paga Hill Estate.³⁴⁵ It is still a hill of scraped, naked stone; a wasteland devoid of life, compared to the creative and resilient former community who lived on the hill surrounded by trees.

The people of Paga Hill were a strong community helping each other as they flourished for many decades on the foreshore of the harbour. Now, they are scattered all over Port Moresby and Papua New Guinea in various standards of living. Some continue to lack access to healthcare, water, electricity and appropriate shelter. None of the approximately 3,000 people that used to live at Paga Hill have ever received appropriate compensation for economic loss or trauma. They remain uncompensated for the assets, property and possessions that they acquired over decades, and that were crushed and burned into sediment at Paga Hill.

This is a situation that has now stretched on for more than 8 years.

It is likely that the Paga Hill Development Company's Paga Hill Estate will never be built.

Ultimately, the scattered people of Paga Hill continue in their daily lives, struggling under the weight of carrying heavy loads of water, seeking to cook meals without electricity and sleep under inadequate shelter. Students seeking a bright future struggle against the odds to go to school and complete their education. Adults far from their previous resources - such as the ocean, markets and the city - seek to create work opportunities so that they can support their families. People have planted gardens in previously dry ground to grow food and make an income. Yet, people live with a wary fear of eviction.

Some former members of Paga Hill continue to live on the streets of Port Moresby, and their access to electricity is the light of the buildings casting a glow upon them as they sleep in the dust, just walking distance from where they used to hear the banging of

cooking pots, smell the scent of the mango trees and hear singing from the little church on the foreshore. In their dreams, perhaps sometimes they fish on the harbour in the boats they once owned, with people that were alive and safe at Paga Hill.

Despite the fact that the Government of PNG has ratified its international human rights obligations, it is clear that there is a fissure between the rights it has committed to promote and protect, and the lived reality of its citizens.

The people of Paga Hill continue to live with the knowledge that they were treated unfairly as citizens in their own nation.

The people of Paga Hill are resilient, and want the chance to rebuild their lives. They continue to seek restitution, a better future for their families, and re-establishment of their community.

We end with the words of Allan Mogerema, a Paga Hill community leader:

'We have used all the mechanisms – justice system, peaceful protest, research, art and awareness, and international solidarity to protect our basic human rights and to stop my community from being illegally demolished. Our voices were ignored. No matter how long it takes, our community will get justice.'³⁴⁶

APPENDIX A RESEARCH METHODOLOGY

Gathering background research

Prior knowledge of the Paga Hill community displacement was obtained through direct collaboration with community members, various research and peer-reviewed articles by Professor Kristian Lasslett, Head of the School of Applied Social and Policy Sciences at Ulster University and Executive Board member at The International Crime Initiative (a research centre co-convened by Queen Mary University of London, Ulster University and Northumbria University); the 2015 Paga Hill Social Mapping report led by Paga Hill leader Joe Moses; 'The Opposition' documentary film by Media Stockade; preliminary research undertaken by Jubilee Australia Research Centre and Aid/Watch Australia; evidence from Human Rights Law Centre; and other various media outlets.

Field visits in 2017 and 2018 by Australian researchers

In 2017 and 2018, representatives from Jubilee Australia Research Centre and Aid/Watch met with community representatives in Port Moresby, and visited the former site of the Paga Hill community, and met with people living on the streets and at Gerehu.

Community consultation

The social mapping project, which occurred in April, May, June and July 2018, was initially discussed with the youth, church and elder leaders from the Paga Hill community who represented a cross-section of ages, gender and ethnicity.

It was agreed that it was a very important exercise to identify the cause and effects of the current living standards and the hardships faced by the community after the forced eviction and destruction of their homes, lives and livelihoods. It was also established that this was a good follow up to the *Paga Hill Social Mapping Report*.³⁴⁷

An initial awareness of the proposed social mapping project was conducted to ascertain cooperation and agreement between the different stakeholders, which were comprised of Paga Hill community leaders, and community members who are now displaced in and around Port Moresby.

Approach

The methodology behind this report was developed by Paga Hill community members in Papua New Guinea in collaboration with Jubilee Australia Research Centre and Aid/Watch Australia. This component of the project was undertaken by a team of community researchers in Port Moresby in April to July 2018.

The methodology for this research is a fusion of quantitative and qualitative methodologies: participant action research, in-depth interviews, surveys (using QuickTapSurvey), film and photography were used to investigate the living conditions of former residents of Paga Hill.

Utilising a decolonising research methodology inclusive of community participation, listening and participatory planning a participant action research (PAR) approach was employed.³⁴⁸ A decolonising and decolonial praxis, contests the predominant Eurocentric research approach which often sets the 're-researcher' against the 're-researched' particularly Indigenous and marginalised communities.³⁴⁹ The aim of the approach taken was to centre the Paga Hill community by positioning the community away from merely objects of the research and into the knowers, communicators, theorists and questioners – that they are known by others instead of being 'othered'.³⁵⁰

The research was multi-method in focus involving an interpretive naturalistic approach to the subject matter.³⁵¹ It studied the situation in its current state and making sense in terms of its meaning. These involve, collection of empirical materials that describe routine, problematic episodes and meanings in the lives of individuals, families and community.³⁵²

The social mapping aspect of this project, which forms the core component of this research project, involved participatory action research and surveys.

Community researchers

Six community leaders, one elder and five youth, were identified through the meetings with the community to lead the research with the social diagnostic tool.

A daily rate of pay and mobile phones were given to assist the community researchers during training and while undertaking the social mapping over a 6-week period from May to July 2018. Training with researchers were conducted face to face in April 2018 with

the Aid/Watch researcher and a key Paga Hill youth leader in Port Moresby. This included interviewing, capturing and entering data as well as several practices with the QuickTapSurvey app before going out into the field to conduct the research.

Community consultation

Community building events were conducted to promote community participation and development with two aims; to provide information about the project to the displaced people and those who had been resettled and applying a participatory social diagnostic tool (SDT), namely social mapping.

This opened the way for a joint plan of action that eventually involved the resettled and the displaced community members and other interested parties participating in the social mapping research, which aimed to identify their needs, the causes and effects of their problems and an opportunity to suggest solutions.

In consultation with Paga Hill elders, church, women and youth leaders, the Aid/Watch researcher facilitated several meetings in the month of April 2018 in Port Moresby to discuss the approach and methodology of the social mapping project. These meetings included:

- Joint meeting and discussions facilitated by the Aid/Watch researcher with key Paga Hill leaders from the various areas that they had been displaced to. It was held in an Airbnb accommodation in Port Moresby and funds were used to transport the leaders to and from the meeting to their various current places of residence;
- Joint community meeting and discussions facilitated by a key Paga Hill youth leader held in Tok Pisin and attended by the Aid/Watch researcher so that they could take on any community questions or concerns. This meeting was attended by approximately 50 Paga Hill community members residing at Gerehu including elders, church leaders, women and youth; and
- Meeting and discussions led by one of the key Paga Hill youth leaders with Paga Hill youth residing on the streets, Gerehu and various settlements. This was held in a mix of English and Tok Pisin with the Aid/Watch researcher present to answer any questions or concerns.

From these meetings it was decided that at minimum of 180 people would be interviewed with a balance of male and female participants from the Paga Hill community of various ages, and displaced in various parts of Port Moresby. It was decided that there should be a stronger focus on Gerehu and those displaced on the streets of Port Moresby and the rest of the interviews to be held across the various settlements that Paga Hill community were now residing in.

Participants in the study

An initial proposed sample size of 180 people was decided by the community, as this was seen as being realistic given the timeframe and the number of researchers.

190 people who used to live at Paga Hill participated in the social mapping survey, which is equivalent to approximately 6.3 per cent of the population who used to reside at Paga Hill. 51 per cent were women and 49 per cent were men. Interviews were transcribed and thematic analysis was conducted.

Individual participants for the survey were intentionally selected based on community researchers' knowledge regarding where members of the Paga Hill community lived. The survey intended to capture data from a range of locations, and be representative of a range of ages, marital status and across both genders. Participants for the study were selected by the Paga Hill elders in consultation with the community researchers, so that there was representation from all the areas to which the community were displaced/relocated. The researchers subsequently created a plan and strategy of who they would interview.

Participants were not provided with any incentives to participate in the research. Participation was open to those that wanted to tell their story and to be a part of the process.

However, due to security constraints, it was deemed too dangerous to conduct the survey with greater numbers of participants at Tagua, Six Mile.

Survey questions

A set of key survey questions were agreed upon by the community and community leaders:

- Who they are: name, age, ethnicity (what province they are from), marital status, dependents, and their role in the community?

- What were the conditions and services like when they lived at Paga Hill?
- What was their employment status when they were living at Paga Hill?
- Where they are currently living?
- The conditions, services and employment status when they currently live?
- What are the threats with their current living conditions (real and perceived)?
- What is the likelihood of them being evicted where they currently live?
- What are the basic needs that aren't being met where they currently live?
- Has anyone in their family or close friends who lived at Paga Hill died since the first demolition at Paga Hill in 2012?
- Was their death related to the demolition and forced evictions?
- Will APEC be an impact on their current living situation?
- What would they like to see happen to improve their living conditions?

QuickTapSurvey

Using QuickTapSurvey allowed mobile data capture on an android phone in which participants answers were easily collected at the site of where they were displaced, resettled and in some case where they were living homeless.

The researchers were all provided with android phones to conduct the research using the QuickTapSurvey app. The key questions above were in English in the app, with the researchers conducting the interviews in either English or in Tok Pisin, depending what the interviewees would feel most comfortable with. This encouraged the researchers to connect with their community, culture and values that are often unseen or rendered invisible by outsiders. All data entered into the app was in English.

All data was captured in the QuickTapSurvey app offline via face to face survey. This data was synced automatically when reconnected to the internet.

A daily rate of pay was provided to assist the community researchers during training and while undertaking the social mapping. Training with researchers

were conducted face to face in April 2018 with the Aid/Watch researcher in Port Moresby. This included interviewing, capturing and entering data as well as several practices with the app before going out into the field to conduct the research.

The researchers using the QuickTapSurvey app were coordinated and overseen by a key Paga Hill youth leader to keep consistency and to ensure that there was a cross-section of gender, age and where they were residing. Aid/Watch and Jubilee researchers were also available to speak with the researchers on the ground via WhatsApp and Facebook Messenger for any queries that arose during the period of conducting the interviews between May to July 2018.

Methods of analysis

Social mapping survey responses were available as soon as the community researchers were able to access internet. The data would then synchronise automatically within the Quick Data Survey app. This enabled same day viewing of data collected by various people involved in the research including community leaders, Aid/Watch Australia and Jubilee Australia Research Centre. Survey results were subsequently exported into an Excel file.

Survey results were analysed to assess people's access to basic needs while living at Paga Hill, and statistics were subsequently developed.

Survey results were then separated by location into four groups: Six Mile, on the streets, Gerehu and scattered locations. Statistics were subsequently developed on a location basis using the survey data in order to explore the commonality of experience of survey respondents in each of these locations.

Survey results were also analysed thematically to assess an overall picture regarding people's access to basic needs; how they wished to improve their living standards; and regarding reported deaths. Statistics were subsequently developed on a thematic basis using the survey data.

Ethical considerations

Through community meetings, leaders (elders, church, women and youth) disseminated information about the project. The researchers also had a process of explaining and obtaining consent.

Oral consent was given to participate in the project. This included parents providing consent for their children aged under 18 to participate in the project.

Security concerns

The safety of researchers conducting this research was a primary concern. Researchers from Australia were subsequently provided with 24-hour security by Paga Hill youth when researching in Port Moresby in 2017 and 2018.

In Port Moresby, the safety of community researchers was extremely important. Interviews were conducted in daylight, face to face, and one on one in a safe place, often in people's homes (if they had one).

Participants were informed that their names would not be used publicly, and that at any point they could ask to not be included within the research.

Pseudonyms were provided to all individuals who participated in this research project in order to protect their identity. Consultation was also held with community leaders regarding specific further questions surrounding whether an individual's identity could be compromised and identifying or sensitive information was subsequently not made available for use in this research report. Real names have only been used in this report where they have previously been published in national and international news sources.

Interviews with community members

Following the completion of the social mapping research, in-depth interviews were conducted with community members who were questioned about more specific details regarding the conditions of settlements and the whereabouts of community members.

"I can't fight with my fists... I am just going to use art with the youths, we are all going to use art. Use art to fight and resist against the demolition and eviction."

ALLAN MOGEREMA, PAGA HILL YOUTH LEADER, *THE OPPOSITION* FILM

O' you passionate Warriors be strong, hold on and fight for your basic human rights to see the dawn of a new day, a new beginning, a brighter future in all aspects of this beautiful Country where our Leaders and Country men will make sound decisions to protect our Mother Land and serve the Interest of our citizens over any materialistic things in this world.

THE PHAR PROJECT

Community researcher conducting an interview with a member of the Paga Hill community in June 2018. Photo: Aid/Watch



APPENDIX B

PAGA HILL ACTIVISM

Throughout 2012 to 2014 the Paga Hill community faced three forced evictions and demolitions of their homes and community. Despite this, the community led a very effective resistance campaign.

The community of Paga Hill was led by a dedicated team of community leaders elected by the community.

The Paga Hill community used several strategies and tactics that peacefully challenged the state and corporations who were driving the forced eviction and demolitions of their homes. These included a legal strategy, media strategy, mobilising youth and the creative arts, and advocating on an international level.

Social mapping report

In 2010, the Paga Hill community created a social mapping report. The report, compiled by community leaders, including Mr Joe Moses, created a 'baseline' of understanding about the Paga Hill community.

Community based legal campaign

The community led by Joe Moses and other elders never gave up fighting for the community to stay at Paga Hill.

At every stage of their struggle, the community was involved in decisions, including the women and youth. This included weekly briefings to keep the community up to date on the legal strategy and new developments on potential evictions and demolitions of their homes. In these meetings, the community asked questions, suggested strategies and were able to hold their community leaders accountable. Households contributed whatever funds they could to pay for lawyer fees, meanwhile a dedicated team of pro-bono lawyers assisted where they could.³⁵³

The collection of affidavits included families nominating a representative to record and write down each family member's story. Families were grouped into their provincial backgrounds and a representative of each of those provinces would oversee the family affidavits before they were given to the community leaders for final review.

Creativity and the Paga Hill Art Resistance

The demolitions triggered a struggle to save Paga

Hill, which would last over two years. The advocacy undertaken by the people of Paga Hill using creative arts was particularly powerful, and an essential reason as to why their campaign to save Paga Hill was so unique.

A core initiative was the Paga Hill Art Resistance, another residents' group which raised awareness of the struggle using art and performance, while also seeking for Paga Hill to be 'instated as the city's first cultural precinct'.³⁵⁴ These efforts 'attracted considerable media interest and support from a number of influential public intellectuals. Alongside these efforts, residents legally contested the eviction order'.³⁵⁵

The Paga Hill Art Resistance (PHAR)³⁵⁶ was formed in 2012 by Papua New Guinean artist, Jeffry Feeger, and French photographer, Phillippe Schneider. The aim of PHAR was to mobilise Paga Hill youth to tell their story. This enabled the youth to have a voice in their struggle to save their community in the following ways:

- PHAR developed a theatre production about the forced evictions, called 'The PHAR Project'. The PHAR Project told the story of the eviction, including the story of Esther³⁵⁷ who stood inside her house and refused to come out in an effort to protect her home.
- The Paga Hill Community Painting³⁵⁸ was created over two years by different members of the community. It expressed their struggles and their resistance to save their community from forced evictions and demolition. It featured a map of downtown Port Moresby, including Paga Hill.
- PHAR also regularly engaged in flash mob actions in the busiest part of downtown Port Moresby for three years. The Paga Hill Community Painting was kept at one of the bunkers at Paga Hill, and would be carried downtown, and youth would continue painting it in the street in protest. Members of the Paga Hill youth would perform feats of acrobalance and acrobatics and engage with passers by.
- The Paga Hill community developed a photographic story collaboration with photographer Philippe Schneider, 'Where We Live Matters',³⁵⁹ which was published on YouTube. This project challenged the viewer's percep-



Above: Paga Hill community leader, Allan Mogerema outside Australian Parliament, Canberra in a peaceful protest calling for justice for the Paga Hill community in the lead up to the APEC meeting that was held in Port Moresby in November 2018. Photo: Aid/Watch

Below: Paga Hill Art Resistance (PHAR) taking to the streets of Port Moresby using art and performance to tell their story. Photo: PHAR



tion of informal settlers and slum dwellers highlighting that irrespective of a person's place of residence all people have the same basic needs, hopes and fears. Images were taken after the electricity connections had been destroyed, and the photographs were subsequently taken by the light of torches held by Paga Hill young people.

- In 2012, local musicians released a song 'Demolition Song' and accompanying video, developed by Philippe Schneider and assisted by Simon Grant, which recounted the journey of the Paga Hill community.³⁶⁰
- Another group that the residents formed was the Paga Hill Heritage Association, a 'resident's advocacy group, which lobbied to have the hill reinstated as a national park'.³⁶¹

The demolition of Paga Hill was an issue that struck into the hearts of many throughout the city of Port Moresby and the country.

Post-eviction campaigning

The film, 'The Opposition',³⁶² which told the tale of the community's struggle, was released in 2016. It has since been nominated for 5 awards, and was the winner of best feature documentary at the 2018 OzFlix Independent Film Awards.³⁶³

In 2017, the #Justice4Paga campaign was formed by Paga Hill youth, led by youth leader Allan Mogerema in collaboration with The Opposition team, Aid/Watch Australia and Jubilee Australia Research Centre. The aim of #Justice4Paga was to develop an impact strategy to take 'The Opposition' film back to the Paga Hill community and screen the film in settlements throughout Port Moresby and Madang.

People viewing the film in PNG related to the film, identifying with land grabs, corruption and the interests of large corporations. Some settlement communities responded to the film, saying, 'we need to do our social mapping now!'

The film was also scheduled to screen at Papua New Guinea's Human Rights Festival in 2019. However, within hours of screening, the film was banned.³⁶⁴

At every stage, the producers of the film incurred great personal cost to ensure that the film could be made, and to ensure that the film could be screened in as many locations as possible to tell the story of

Paga Hill. Along the way, the producers also needed to fund legal battles to ensure that the story of Paga Hill could continue to be told.³⁶⁵

The community continued to rally in PNG. On Mother's Day, 13 May 2018, approximately 200 Paga Hill community members, led by Paga Hill mothers, walked in a peaceful protest along the Ring Road, and delivered The Opposition film to the National Capital District Governor, Mr Powes Parkop.³⁶⁶

The community continued to rally on an international level.

In 2016, Mr Joe Moses flew to Geneva to present twice at the UN Human Rights Council alongside the UN Special Rapporteur on Human Rights Defenders and the International Service for Human Rights.

Mr Moses also attended Transparency International's Anti-Corruption Conference, Panama; he presented 'The Opposition' film in Reykjavik with the Icelandic Centre for Investigative Journalism; and collaborated with Amnesty International, the United Nations Human Rights Office of the High Commissioner (OHCHR), the International State Crime Initiative, London, and was frequently interviewed in domestic and international media.

"I know that I will face consequences, but someone has to do something ... If it means life and death I will have to do this – because someone has to do something to help the people," said Mr Moses.³⁶⁷

In August and October 2018, Paga Hill youth leader Allan Mogerema engaged in public speaking events, film screenings, meetings with advocacy organisations and media interviews in Australia. This included staging a one-man peaceful protest at Parliament House, Canberra, in the lead up to the 2018 APEC Summit scheduled to occur in Port Moresby, to highlight the human rights violations his community had suffered at the hands of Australian corporations. Mr Mogerema would later go to the United Nations in Geneva to advocate for the community of Paga Hill in June 2019.

APPENDIX C

CORRESPONDENCE FROM CURTAIN BROS PAPUA NEW GUINEA LTD

This response is to be read in conjunction with the above Paga Hill Report (**Report**) just published on The Jubilee Australia Research Centre website.

Prior to publication of the Report, Curtain Bros Papua New Guinea Limited (**Curtain Bros PNG**) was provided with excerpts of the Report and invited to respond to the Report should it wish to do so.

Curtain Bros PNG has accepted that invitation and provides the following response.

It should be noted that, at the time of publication of this response, Curtain Bros PNG has not been given a copy of the Report in its entirety, but only excerpts which we were informed contained the only references to Curtain Bros PNG:

1. **Section 4.3 entitled “Lead up to the second demolition”**

This section of the Report contains an account by unidentified “community members” of a meeting in 2012 between Curtain Bros PNG and (also unidentified) Paga Hill community leaders. The account is inaccurate.

What actually occurred is that, before the commencement of any construction works for the Paga Point Road in the vicinity of the Paga Hill Squatter Settlement, a Curtain Bros PNG representative met with approximately eight members of the Paga Point community, including Mr Joe Moses and Mr Ratoos Gari. The representative showed those community members a layout drawing of the proposed alignment of the Paga Point Road. This drawing depicted the road and its associated easements passing directly through the coastal Paga Hill Squatter Settlement. At no time did our representative tell any member of the Paga Hill Squatter Settlement community that we would build the road outside their Settlement, for the very good reason that it would have been almost impossible to do so, given the rapid and significant increase in water depth on the seaward side of the Settlement and the rapid rise and gradient of the Paga Hill on the land side of the settlement.

2. **Section 8.2.3 recommendations to Curtain Bros**

This section of the Report contains a series of recommendations about what Curtain Bros PNG should, and should not, have done throughout its alleged involvement in the so-called “Paga Hill Evictions”. These recommendations are apparently based on the interpretation of the Report’s author of a United Nations publication known as the “Guiding Principles on Business and Human Rights” (and, in particular, UNGP principle 19). The Report alleges that we knowingly became involved in a project that involved serious potential breaches of human rights and that we should have used our influence to reduce or eliminate the human rights violations or ended our relationship with our client.

Although the Report’s author is entitled to his or her interpretation of UNGP principle 19, that interpretation is, in our view, misconceived and contradicted by the facts of what actually occurred.

Our client was the National Capital District Commission (**NCDC**), the local government authority for the relevant area. Prior to our engagement, the NCDC had already made the relevant planning decisions as to the routing of the ring-road. This is no different to the way local government authorities everywhere make planning decisions regarding the upgrade of infrastructure. The removal and relocation of houses on the route of the planned roadway was required in order to give effect to the NCDC’s planning decision. Curtain Bros PNG assisted Paga Hill residents with the transportation of their possessions to a new site at Gerehu and assisted those residents who requested financial help with rebuilding activities at Gerehu. Processes were put in place for relocation of the houses and we programmed our work timetable to allow community residents as much time as possible to relocate their homes to Gerehu, and also did what else we could to assist the community to relocate.

Curtain Bros PNG was not “complicit” in what the Report alleges happened to the Paga Hill residents. We deny that the project itself involved “serious potential breaches of human

Response by Curtain Bros Papua New Guinea Limited to Paga Hill Report

rights". Therefore, there were no human rights breaches for it to "turn a blind eye" to, as the Report alleges.

Furthermore, Curtain Bros PNG has absolutely no ability to leverage or influence the NCDC (or the Paga Hill Development Company) as to the payment of compensation to those whose homes were removed from the route of the Paga Hill ring-road.

Finally, the interpretation of UNGP principle 19 adopted by the author of the Report ignores the acknowledgement in the principle that what is "appropriate action" by a business enterprise where there has been an adverse human rights impact (which we dispute has occurred) will vary according to the circumstances. The principle explicitly acknowledges the complexity of the situation faced by a business enterprise like us in a scenario such as that which is alleged in the Report, and implicitly acknowledges that such an enterprise may have, as we do, little, if any, ability to effect change in the practices of the entity allegedly causing the harm.

ENDNOTES

- 1 Lucy EJ Woods, 'Evicted for a showpiece project, this PNG community fights for justice, Monga Bay, 8 November 2018, available at <https://news.mongabay.com/2018/11/evicted-for-a-showpiece-project-this-png-community-fights-for-justice/> (accessed 12 December 2019).
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- 29 See '7.3 Other evictions in PNG' in this report.
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- 71 Ibid 12.
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- 76 International State Crime Initiative, at 13.
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- 78 These included a requirement that Land Rent must be paid, and an Improvement Covenant requiring improvements to a minimum of 10 million Kina within five years of issue of the Lease: Ibid 66 [36.7].
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- 81 See Paga Hill Estate, 'The Vision for Paga Hill,' available at <https://vimeo.com/137924484> (accessed 25 February 2020).
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- 84 The Public Accounts Committee, at 7 [2.4], [2.5].
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- 87 Ibid 61 [34.3].
- 88 Ibid 60 [33.3 – [33.5].
- 89 Ibid 61 – 62 [34.9].
- 90 Ibid 60 [33.7].
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- 92 Ibid 65 [35.17].
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- 94 Ibid 69 [36.19].
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- 103 *Moses v Paga Hill Development Company (PNG) Limited* [2014] PGSC 18.
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- 107 Lasslett, 'Uncovering the Crimes of Urbanisation', at 156.
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- 110 Lasslett, 'Uncovering the Crimes of Urbanisation', at 156.
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- 118 Lasslett, 'Uncovering the Crimes of Urbanisation', at 150.
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- 120 Ibid.
- 121 Sovereign Real Estate Limited, Valuation Report in respect of various properties destroyed/removed, Paga Hill Area, Milinch of Granville, Fournil of Moresby, City of Port Moresby, National Capital District (22 January 2015) at 6.
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- 123 Ibid.
- 124 Lasslett, 'Uncovering the Crimes of Urbanisation', at 150.
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- 130 Voice recording with Allan Mogerama, 11 February 2020.
- 131 Correspondence from Paga Hill Development Company (PNG) Limited to 'Illegal settlers of Paga Hill, Portion 1597, Granville, NCD, 16 April 2012.
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- 133 International State Crime Initiative, at 8.
- 134 Ibid 9; Lasslett, 'Uncovering the Crimes of Urbanisation'at 150-151..
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- 143 A pseudonym has been used to protect her identity.
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- 151 Voice recording with Allan Mogerama, 11 February 2020.
- 152 Paga Hill Development Company v Kisu and Ors [2014] PGNC 27; N5683 (29 January 2014) at [18], available at <http://www.pacii.org/cgi-bin/sinodisp/pg/cases/PGNC/2014/27.html?stem=&synonyms=&query=Paga%20Hill%20Development%20Company> (accessed 1 June 2020).
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- 154 Ibid. ,
- 155 See Lasslett, 'Uncovering the Crimes of Urbanisation', at 84: 'Several weeks later on 1 July, residents won their Supreme Court battle, and the reclaimed land was declared to be outside the developer's lease; seemingly neither the court nor residents were aware PHDC had acquired a lease over the reclaimed land'; and at 156: On 4 June 2014, it was announced that a special purpose lease over the land had been awarded to Andayap No.5 Limited.'
- 156 Lasslett, 'Uncovering the Crimes of Urbanisation', at 156.
- 157 Paga Hill Estate, 'Community resettlement', available at <https://www.pagahill.com/home/history/community-resettlement/> (accessed 6 February 2020).
- 158 Lasslett, 'Uncovering the Crimes of Urbanisation', at 157.
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- 175 Voice recording with Allan Mogerama, 11 February 2020.
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- 209 'Paga Hill community: where are they now?'
- 210 Voice recording with Allan Mogerama, 11 February 2020.
- 211 Woods, 'Evicted for a showpiece project, this PNG community fights for justice.'
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- 215 Of all the people surveyed, 109 people were concerned about health; 111 were concerned about security; 112 were concerned about water; 112 were concerned about electricity; 111 were concerned about sanitation; 111 were concerned about education; 106 were concerned about food and nutrition; 43 were concerned about the possibility of eviction.
- 216 Aston, 'Port Moresby settlers evicted to make way for Australian-backed development 'abandoned'.
- 217 111 people living at Gerehu identified security as an issue of concern.
- 218 111 people living at Gerehu were concerned about access to education for children and young people.
- 219 Woods, 'Evicted for a showpiece project, this PNG community fights for justice.'
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- 222 An additional 4 people described themselves as homemakers.
- 223 UNDP, Human Development Reports, Papua New Guinea, available at <http://hdr.undp.org/en/countries/profiles/PNG> (accessed 16 December 2019).
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- 225 9 people specifically mentioned that they wanted a 'good' or 'proper' house, and 7 people specifically referred to fencing.
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- 230 Lauren Beldi and Christina Zhou, 'Think renting in Sydney or Melbourne is tough? Spare a thought for Papua New Guinea,' ABC News, updated 10 August 2019, available at <https://www.abc.net.au/news/2019-08-08/think-sydney-and-melbournes-rental-market-is-expensive-spare/11387722> (accessed 3 March 2020).
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- 232 Margaret Kaupa, cited in Human Rights Law Centre, Nowhere to Turn (2019) at 21, available at <https://www.hrlc.org.au/reports/nowhere-to-turn> (accessed 25 April 2020).
- 233 In these responses, 15 people specifically referred to the government, and 7 specifically referred to PHDC.
- 234 14 people specifically stated that they wanted compensation; and 7 referred to wanting to see justice.
- 235 22 people stated that they were concerned about access to education; 8 people stated that this need was met where they currently live; an additional 4 people were both concerned about access but stated that this need was being met.
- 236 29 people stated that they were concerned about further eviction, compared with 31 who believed that it was likely that they and their families would be evicted again.
- 237 Conversations with Allan Mogerama, February and March 2020.
- 238 Conversations with Allan Mogerama, February and March 2020.
- 239 Conversations with Allan Mogerama, February and March 2020.
- 240 Conversations with Allan Mogerama, February and March 2020.
- 241 Conversations with Allan Mogerama, February and March 2020.
- 242 Voice recording with Allan Mogerama, 11 February 2020.
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PAGA HILL COMMUNITY MEMBER
NOW LIVING AT HANUABADA