



Media Statement

NSL clarifies position on 9-Mile, Bush Wara evictions and Government negotiations

Port Moresby, Monday, 22 July 2024
This statement can be attributed to Nambawan Super Limited

In response to recent statements made by the Government regarding the eviction of Squatters at 9-Mile, Nambawan Super Limited (NSL) seeks to clarify our position and correct any misleading information that has been disseminated.

NSL has always operated with the utmost integrity and commitment to the Law. Our actions concerning the 9-Mile Land have been in full compliance with all legal requirements and driven by our responsibility to our Members.

NSL's Reluctance to Relinquish Land

Contrary to claims suggesting an unwillingness to negotiate, NSL has been open to discussions with the Government regarding the 9-Mile Land since 2020.

NSL has explored every possible option to find an equitable resolution (win-win) for all parties. This included meetings with the National Capital District (NCD) Governor, Powes Parkop, Local Member, John Kaupa and Deputy Prime Minister, John Rosso, who is also Minister for Lands, on various occasions. Discussions have included negotiations with both the Department of Lands and the National Capital District Commission (NCDC) offering resettlement options or a land swap that would enable the illegal squatters to remain on site. All these discussions were undertaken in good faith, however, there was no formal agreement or viable resolution reached between all parties. This has led to the difficult decision to proceed with the eviction process.

Legal Obligations

NSL pursued a court order to enforce eviction only after exhaustive discussions

with the Government and the NCDC failed to reach a mutually acceptable solution. This legal action was not taken lightly but was necessary to protect our legal rights and our Members' interests.

NSL acquired the land in question in 1990 and has been involved in various court battles to defend its titles until 2020, when the courts finally awarded the titles to NSL. In the same year (2020) NSL obtained eviction orders to remove illegal squatters from the three portions of land. Following the court's decision, the NSL Board chose a path of responsible repossession, engaging with all stakeholders - including the Governor, local member, and organizations involved in affordable housing - to find a satisfactory solution for our Members, the squatters, and other interested parties.

Over the last three years, NSL has been allowing time for squatters to voluntarily vacate the land. Despite these efforts, the original eviction order from 2020 lapsed in March 2024, necessitating NSL to return to court to refresh the orders. On 14 March 2024, the court granted a refreshed eviction order giving squatters an additional 120 days to voluntarily vacate, which expired on 10 July 2024. NSL commenced the eviction process thereafter. In the days leading up to the deadline, some squatters left voluntarily, but not all.

Financial Offers

As to the financial offers mentioned by the Government, it is important to note that while NSL acknowledges the K60 million offer, this offer was substantially lower than our current book value for the asset (9-Mile Land). NSL as a Trustee of Members' funds must act in the best interest of its Members and has a duty to preserve the assets of the Fund. In considering the current valuation and

future potential of the land, it was considered not in our Member's best interests to settle for this amount. NSL has a duty to ensure that any sale or lease of our assets is conducted in a manner that provides fair value of our Members' assets, and provides a good return on investments.

As Trustee's, our first and foremost responsibility and obligation is to our Members and their Fund, and we have every intention of protecting and growing our Members' assets for their collective benefit.

Humanitarian Concerns

Despite claims suggesting an unwillingness to negotiate, NSL has actively engaged in discussions with government officials and local authorities since 2020, exploring resettlement options and land swaps, to find a mutually acceptable solution. These efforts emphasize NSL's decisions toward the humanitarian concerns with its legal and financial obligations.

Transparency has always been maintained through frequent awareness and communication since 2019. NSL has gone so far as to establish an office on-site to address any queries, a police outpost, and has conducted monthly community awareness meetings through our Site Manager, to keep squatters informed about ongoing discussions and to encourage voluntary relocation. Sensitivity to the squatters' situation is evident in the substantial time and resources NSL has invested in negotiations, although no formal agreement was reached.

NSL empathises with the squatters understanding their perspective, many of whom were misled by fraudulent land sellers, and ensured to provide ample

notice and opportunities for those affected to voluntarily vacate the land. The eviction process was initiated only after all options were exhausted to find a resolution that would benefit all stakeholders involved. NSL has also ensured that no force, or rough handling of squatters has occurred, maintaining a respectful and peaceful approach to evictions.

NSL's primary responsibility is to its Members, ensuring their investments are secure and yield returns for their retirement. This fiduciary duty requires NSL to protect its assets and uphold legal rights, even when it involves difficult decisions like evictions.

Eviction Updates

NSL would like to take this opportunity to report that the eviction has commenced with no major incidents. Most of the squatters have voluntarily vacated the land portions. The majority of the structures have been voluntarily dismantled while others are in the process of voluntarily dismantling their houses while eviction is taking place. Abandoned structures are being cleared while those voluntarily removing their structures are being given the opportunity to do so.

NSL would also like to extend our appreciation to all stakeholders including the Sheriff's Office, Royal Papua New Guinea Constabulary (RPNGC) and squatters for maintaining a peaceful and safe eviction so far. We request the continued support and cooperation of all stakeholders, to ensure the carefully planned Bush Wara Eviction Program for Portions 2156, 2157 and 2159 is implemented in a safe and peaceful manner.

Trustee Board
Nambawan Super

For more information contact Nambawan Super

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